

UTILITIES, INC.

AND AFFILIATES

CUSTOMER SERVICE  
GUIDE

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To All Utilities, Inc. Employees:

Utilities, Inc. owns and operates over 550 water and wastewater utility systems in 17 states. The Company was founded in 1965 and is headquartered in Northbrook, Illinois.

Our mission is to produce superior earnings through the acquisition and efficient operation of small water and wastewater utilities while providing high quality, reliable, efficient, and safe public utility service to our customers. In accomplishing this objective, our Company invests resources in geographically diversified locations with long-term profit potential where we have unique competitive advantages.

One way to help the Company accomplish its goals is to continually strive to enhance quality and control costs while providing courteous and dependable service to our customers. The customer is the most important person in our business. He or she is not an interruption of our work, but rather the purpose of it.

It is important to note that we are regulated by many governmental agencies. A utility commission or governmental body appointed in each state is responsible for regulating water and wastewater utility companies and is responsible for determining our rates and charges. To change our rates, we must request an adjustment through this governmental agency by presenting testimony with supporting evidence to justify our costs. We must also demonstrate to the commission that our customers are receiving an acceptable product and an acceptable level of service.

In addition, we are regulated by governmental bodies which are responsible for protecting the health of the consumers and the environment. These governmental agencies ensure that our systems meet all state and federal environmental regulations, such as the Clean Water Act and Safe Drinking Water Act. We aim to maintain our systems in a manner which meets or exceeds all environmental requirements.

Part of our success is due to the fact that we continually strive to enhance the quality of our product and provide a high level of service to our customers at the lowest possible price.

This customer service guide will provide you with information regarding our Company's operating philosophy with regard to customer service. We strongly encourage you to review this material periodically so you will be more effective in helping our organization achieve its goals.

Our ultimate success depends on the commitment of all of our employees. Therefore, it is important that we work as a team in a spirit of cooperation and dedication. We greatly appreciate the effort that everyone puts forth to make the Company a success year after year.

Sincerely,

Patricia M. Owens  
Director, Customer Relations & Administrative Services

## Communications

Whenever we speak on the telephone, write a letter, or meet with someone, we are communicating an image of ourselves and our Company. We can communicate in many ways. Our facial expressions, body language, or just the tone of our voice can influence the type of response we will receive. Remember, what we are saying is important, but how well it has been presented is just as important.

Utilities, Inc. employees should be ready to provide their customers with the best possible service available. We need to *listen* with an open mind and show a sincere desire to help satisfy the customer. All representatives of this Company should display patience, understanding and courtesy when responding to customer inquiries or problems. All customer concerns deserve a prompt and efficient response.

By following some of the suggestions listed below, you can help achieve our Company's goals.

## *General Appearance and Impression*

### Office and Plant Facilities

- The office should be appropriately decorated to extend a pleasant and friendly atmosphere.
- Business should always be conducted in a professional manner.
- Provide a suggestion box in the office lobby for customer suggestions or comments.

- Place informational brochures and pictures, such as those listed below, in the office lobby.
  - a) Conservation information and materials.
  - b) Pictures of various water and wastewater plant facilities located in the area and owned by Utilities, Inc.
  - c) Names of agencies where customers may obtain help with paying their bills.
- Water and wastewater plant facilities must be well maintained to meet all Company appearance and safety standards.

### Office and Field Personnel

- A professional image should be maintained at all times by operational and office personnel.
- Operators should see that their uniforms are laundered after each use and kept in good repair. Uniforms that have been stained, torn, or soiled, and are not presentable, should not be worn.
- Office attire should conform to our professional image.
- Good hygiene and personal grooming are required in all workplaces.
- Offer business cards to customers as an indication of our professional attitude and to encourage future communication.
- Field representatives should always carry a picture identification card for the security and peace of mind of our customers.

### *Telephone Techniques*

When speaking with a customer, we should provide the customer with individual attention. Let him or her know you appreciate his or her point of view. Find out his or her name and use it. Show that you have an interest and sincere desire to help and to satisfy the customer's request.

- When answering the telephone, try to answer on the first ring whenever possible. A cheerful greeting with proper identification sets the tone for conversation and lets the caller know you are ready to help. Always be courteous by using basic phrases such as "Please," "Thank You," and "I will be glad to help you." When ending the call, after you say good-bye, let the caller hang up first.
- Whenever you need to put a customer on hold, ask if he is willing to hold or if he would prefer that you call him back. If you need to transfer a call, tell the caller why and where the call is being transferred. Give the person handling the call the customer's name and reason for calling. Do not make the customer explain the situation more than once.

### *Handling Customer Complaints and Problems*

When you need to deal with an irate customer, never take his or her remarks personally. Never argue with an angry customer. Sometimes just letting the customer blow off steam will help to alleviate the situation. If we are at fault, admit to the mistake and see what you can do to rectify the problem. If the customer is wrong, discuss the matter calmly until he begins to see for himself his role in the problem. Future customer relations will improve by showing empathy with the customer's situation.

- Billing complaints should be handled the same day as received or within 48 hours maximum.

- Respond to all service complaints as soon as possible (same day) or when it is convenient for the customer.
- Monitor complaints to see if a pattern seems to be developing that needs to be addressed.
- Make sure thorough documentation of the complaint and the resolution are recorded.
- Apologize and respond quickly to Company errors.
- Follow up on calls to make sure the situation has been resolved to the customer's satisfaction.
- If you are unable to satisfy the customer, discuss the situation with a supervisor for further assistance.
- When problems with the customer's service are found, notify them of the situation as soon as possible.
- Furnish leak detection information or water conservation kits to customers who are conservation minded or complaining of high bills.

### *Communicating Customer Problems*

Those who deal directly with our customers in the field or in the branch offices should communicate the customers' satisfaction or dissatisfaction to their supervisor. The customers' perspective should, in turn, be communicated to the management team responsible for maintaining standards and upgrading facilities.

### *Questionnaires*

The corporate office may send questionnaires to customers, and regional offices need to be aware of the questionnaires and use the results to improve service.

### *Maintaining Good Customer Service*

Our customers should receive personalized attention whether they are having a problem or are just applying for new service. They should always be treated with respect. The customer is not doing us a favor by requesting service. They deserve it. We can improve our performance and efficiency by following some of the suggestions listed below.

- All new customers should be given as much of the following informational literature, as available, regarding their service:
  - a) Rate information (deposits, new account fees, reconnection fees, etc.)
  - b) Required information from the state commission
  - c) Customer information guide
  - d) Welcome letters
- When possible, offer same-day service for new customer starts.
- Provide a payment drop-box for after-hours payments.
- Make allowances for customers with special needs.
- Be aware of special requirements of the elderly and the handicapped.
- Respond quickly to customer problems.
- Keep informed and know what we are talking about when speaking with the customers.
- Answering service messages should be reviewed each morning to see if a response is necessary or if a service order needs to be generated.

- When meter reads are entered, check abnormally high consumption. If a problem is found, the customer should be notified immediately.
- Install new meters as quickly as possible or within 48 hours maximum.
- Field personnel should check for leaks when new customers begin service.

### ***Regulatory Agencies and Authorities***

As a utility company responsible for providing water and wastewater service to a number of communities, we are under the jurisdiction of several federal, state and local agencies. A good working relationship with these agencies is essential. Although we may believe we have achieved our goal, we need to continually work towards improving our association with these agencies.

- Know which governmental agencies regulate our Company and what their responsibilities are.
- Keep informed about what tests are taking place in each system and the results of those tests.
- Keep up-to-date with Commission approved rates, charges, and regulations.
- Be aware of any new regulations being passed and what effect they will have on our Company and the treatment of water or wastewater.
- Keep the regulating agencies informed when appropriate and make sure required data is submitted on time.
- Keep systems in compliance with regulations.
- Keep customers aware of new testing procedures being performed and new regulations being passed.

### ***Training and Education***

Education and training are a continual process that requires the efforts and cooperation of all our employees. Although we gain most of our knowledge through on-the-job experiences, we can also develop our abilities by following some of the suggestions listed below.

- Employees can keep informed by attending job-related seminars and continuing education classes. Prior approval from your immediate supervisor is required.
- Operators should continue to upgrade water and wastewater licenses.
- Supervisors need to keep their employees informed. Literature regarding customer service, testing procedures, and articles pertaining to changes in the water and wastewater industry should be distributed to each employee or posted in a common area.
- If possible, arrangements should be made for all employees to tour the area served by their office. Sometimes by understanding the special needs and concerns of our customers, more personalized attention can be given.
- Employees need to keep informed about current rate case activity by asking questions and reading the available information.

### ***Informing the Customer***

One of the most important responsibilities is to inform and update our customers regarding their service. We need to keep them aware of the treatment processes we use; testing requirements; improvements we make to the systems; the need for rate relief; and the issues in our industry. We can do this through customer letters or videos or by attendance at community meetings.

At the time a customer letter becomes necessary, the regional office should draft a letter and send it to the Northbrook office for approval prior to mailing it to the customers. If the message is short and the timing is flexible, the bill may be used to communicate our message. We can utilize the bill space to inform customers of scheduled flushings, special testing, or scheduled interruptions of service. If you are unable to use this means of notification, make use of door tags, posters, etc.

### *Working as a Team*

Each day we communicate with co-workers as well as with employees from other Utilities, Inc. offices. By following some of the suggestions listed below, we can improve our working relationships while enhancing our customer service programs.

- Regular staff meetings should be scheduled to discuss current events, possible problems, and other matters of importance.
- Informal employee meetings should be held regularly to discuss problems and to keep everyone informed of current activities. Possible topics for discussion might include:
  - a) Safety
  - b) Conservation
  - c) Time or money saving ideas
  - d) Rate case activity
  - e) Professional workmanship
  - f) Current regulatory requirements
- Learn from the success of a co-worker. Listen to one another and ask each other questions.
- Written customer communications always should be reviewed by supervisors and handled in a businesslike manner.

- When time permits, field and office personnel should share job responsibilities for a day to learn more about each other's duties and problems.

### *Community Involvement*

There are many ways in which we can show our support for the communities we serve.

- Attendance at all POA and HOA meetings is of significant importance.
- Conduct scheduled tours of water or wastewater plants.
- Offer to give informative presentations to schools, scout organizations, homeowners associations, etc.
- Contribute informative articles to association newsletters.
- Servicemen should make themselves visible in the community they serve. Let the residents know they are there to assist them.

In addition, we can apply for membership, volunteer our services, or possibly offer limited financial support to various organizations and community activities. However, before any financial contributions are made, we need to consider what the benefits to the Company will be and what the benefits would be to the community. Will the benefits outweigh the monetary contribution? If the project is deserving of our support and a monetary contribution is needed, approval from the corporate office is required. Although there are many deserving charities and local organizations that could use our help, we are limited to what we can accomplish.

In summary, all employees are responsible for customer service regardless of job title or job description. Our ultimate success depends on the commitment of all of our employees.



1 have also apprised the president of the Lands End Homeowners Association, Ms. Maxine  
2 Bass, of these improvements. Additionally we have ordered a patented closed-cell,  
3 polyethylene foam, permeable floating cover to place on top of the equalization basin  
4 which is manufactured by Environmental Fabrics in Gaston, South Carolina. This  
5 floating cover should further enhance odor control. And, additional upgraded aeration  
6 equipment for the aeration basin has also been acquired. We anticipate having this cover  
7 and the additional aeration equipment installed within the next month. When completed,  
8 the Company will have invested approximately \$135,000 in these improvements to  
9 further abate odor at our Watergate facility.

10 As the ORS inspection report reflects, efforts were also already underway by the  
11 Company to further abate odor at our Friarsgate facility. Equipment similar to that  
12 already installed at our Watergate facility was put into service on April 22, 2005 at the  
13 Friarsgate facility. In addition, the aeration diffusers in both of the digester tanks at  
14 Friarsgate have been replaced with upgraded fine-bubble diffusers to further enhance  
odor abatement. The additional equipment installed at Friarsgate cost approximately  
16 \$30,000.00 to acquire and install. We have also communicated these improvements to  
17 Irmo Town Councilman Paul Younginer, along with DHEC and ORS Staff.

18 Until the night hearing in Summerville, the Company was not aware that odor was  
19 as significant of an issue at Kings Grant Subdivision as some of the witnesses indicated.  
20 However, we have reexamined our operations and considered the alternatives for that  
21 facility to address the issue. We have purchased fine-bubble diffusers to upgrade the  
22 existing aerators at that treatment plant, which will be installed on or about May 3, 2005.  
23

24 **Q. WILL THESE EFFORTS GUARANTEE THE ELIMINATION OF ODOR?**

25 **A.** No, they will not. As I stated, our ability to abate odor is to a certain extent  
26 dictated by the type of system, its proximity to residential areas, sludge removal  
27 requirements, atmospheric conditions and customer perceptions. Odor cannot be  
28 eliminated. Of course, it is our desire that our customers not be subjected to offensive  
29 odors to the greatest extent possible and we are committed to conducting our business in

(R183, S208)

AN ACT TO AMEND SECTION 1-3-240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REMOVAL OF PUBLIC OFFICERS BY THE GOVERNOR, SO AS TO PROVIDE THAT THE EXECUTIVE DIRECTOR OF THE OFFICE OF REGULATORY STAFF MAY BE REMOVED ONLY FOR SPECIFIED REASONS PERTAINING TO CAUSE; BY ADDING SECTION 8-13-935 SO AS TO PROVIDE PROCEDURAL AND OTHER REQUIREMENTS RELATING TO CANDIDATES FOR ELECTION TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE PENALTIES FOR VIOLATION; TO AMEND PART 6, CHAPTER 6, TITLE 37, RELATING TO THE DIVISION OF CONSUMER ADVOCACY WITHIN THE DEPARTMENT OF CONSUMER AFFAIRS, SO AS TO REVISE THE DUTIES AND FUNCTIONS OF THE DIVISION AND THE CONSUMER ADVOCATE IN REGARD TO VARIOUS MATTERS INCLUDING MATTERS BEFORE THE PUBLIC SERVICE COMMISSION; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 58, RELATING TO GENERAL PROVISIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO REVISE THE MAKEUP OF THE COMMISSION, PROVIDE FOR THE QUALIFICATIONS OF MEMBERS, ELECTION PROCEDURES FOR MEMBERS, STANDARDS OF CONDUCT FOR COMMISSIONERS AND STAFF, DUTIES AND POWERS OF OFFICERS OF THE COMMISSION AND HEARING OFFICERS AND OTHER STAFF OF THE COMMISSION, AND TO FURTHER PROVIDE FOR PROCEDURES, ORDERS, AND DECREES OF THE COMMISSION; BY ADDING ARTICLE 5 TO CHAPTER 3, TITLE 58, SO AS TO ESTABLISH THE STATE REGULATION OF PUBLIC UTILITIES REVIEW COMMITTEE AND PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND FUNCTIONS; BY ADDING CHAPTER 4 TO TITLE 58 SO AS TO ESTABLISH THE OFFICE OF REGULATORY STAFF AND PROVIDE FOR ITS DUTIES, FUNCTIONS, AND POWERS; TO AMEND SECTION 58-27-865, AS AMENDED, RELATING TO THE DEFINITION OF "FUEL COST" AND PROCEDURES PERTAINING TO RECOVERY OF FUEL COSTS, SO AS TO DEFINE "FUEL COSTS RELATED TO PURCHASED POWER" AS A COMPONENT OF OVERALL FUEL COST; TO DIRECT TO CODE COMMISSIONER TO DELIVER TO THE STATE REGULATION OF PUBLIC UTILITIES REVIEW

COMMITTEE A REPORT OF CERTAIN CODE REFERENCES;  
TO PROVIDE FOR THE ELECTION OF MEMBERS OF THE  
PUBLIC SERVICE COMMISSION ON MARCH 3, 2004, IN THE  
HALL OF THE HOUSE OF REPRESENTATIVES; AND TO  
REPEAL SECTIONS 58-3-26, 58-3-80, 58-3-95, 58-3-120, 58-3-145,  
58-3-150, 58-3-160, AND 58-3-210 ON SPECIFIED DATES, ALL  
RELATING TO GENERAL PROVISIONS OF THE PUBLIC  
SERVICE COMMISSION.

Be it enacted by the General Assembly of the State of South Carolina:

**Removal**

SECTION 1. Section 1-3-240(C) of the 1976 Code, as last amended by Act 59 of 2001, is further amended to read:

"(C) Persons appointed to the following offices of the State may be removed by the Governor for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity:

- (1) Workers' Compensation Commission;
- (2) Commission of the Department of Revenue;
- (3) Ethics Commission;
- (4) Election Commission;
- (5) Professional and Occupational Licensing Boards;
- (6) Juvenile Parole Board;
- (7) Probation, Parole and Pardon Board;
- (8) Director of the Department of Public Safety;
- (9) Board of the Department of Health and Environmental Control, excepting the Chairman;
- (10) Chief of State Law Enforcement Division;
- (11) South Carolina Lottery Commission; and
- (12) Executive Director of the Office of Regulatory Staff.

Upon the expiration of an officeholder's term, the individual may continue to serve until a successor has been appointed and qualifies."

**Election requirements and penalties**

SECTION 2. Chapter 13, Title 8 of the 1976 Code is amended by adding:

"Section 8-13-935. (A) No candidate for or person intending to become a candidate for the Public Service Commission may seek,

directly or indirectly, the pledge of a member of the General Assembly's vote or contact, directly or indirectly, a member of the General Assembly regarding screening for the Public Service Commission, until: (1) the qualifications of all candidates for that office have been determined by the State Regulation of Public Utilities Review Committee, and (2) the review committee has formally released its report as to the qualifications of all candidates for the office to the General Assembly. For purposes of this section, 'indirectly seeking a pledge' means the candidate, or someone acting on behalf of and at the request of the candidate, requests a person to contact a member of the General Assembly on behalf of the candidate before nominations are formally made by the review committee. The prohibitions of this section do not extend to an announcement of candidacy by the candidate or statement by the candidate detailing the candidate's qualifications.

(B) No member of the General Assembly may offer his pledge until: (1) the qualifications of all candidates for the Public Service Commission have been determined by the State Regulation of Public Utilities Review Committee, and (2) the review committee has formally released its report as to the qualifications of its nominees to the General Assembly. The formal release of the report of qualifications must occur no earlier than forty-eight hours after the names of nominees have been initially released to members of the General Assembly.

(C) No member of the General Assembly may trade anything of value, including pledges to vote for legislation or for other candidates, in exchange for another member's pledge to vote for a candidate for the Public Service Commission.

(D)(1) Violations of this section may be considered by the State Regulation of Public Utilities Review Committee when it considers the candidate's qualifications.

(2) Violations of this section by members of the General Assembly must be reported by the review committee to the House or Senate Ethics Committee, as may be applicable.

(3) Violations of this section by incumbent commissioners seeking reelection must be reported by the Public Service Commission to the State Ethics Commission.

A violation of this section is a misdemeanor and, upon conviction, the violator must be fined not more than one thousand dollars or imprisoned not more than ninety days. Cases tried under this section may not be transferred from general sessions court pursuant to Section 22-3-545."

## Division of Consumer Advocacy duties revised

SECTION 3. Part 6, Chapter 6, Title 37 of the 1976 Code is amended to read:

### "Part 6

#### Division of Consumer Advocacy

Section 37-6-601. There is created within the Department of Consumer Affairs the Division of Consumer Advocacy with duties and organizations as provided in this chapter.

Section 37-6-602. The Consumer Advocate may be the Administrator of Consumer Affairs or he may be appointed by the administrator with the approval of the Commission on Consumer Affairs. The Consumer Advocate must be an attorney qualified to practice in all courts of this State with a minimum of three years' practice experience.

Section 37-6-603. The Division of Consumer Advocacy must be staffed and equipped to perform the functions prescribed in Section 37-6-604. The expenses of the office must be paid from appropriations provided annually in the state General Appropriations Act.

Section 37-6-604. (A) The functions and duties of the Division of Consumer Advocacy are:

(1) to provide legal representation of the consumer interest before the state and federal regulatory agencies which undertake to fix rates or prices for consumer products or services or to enact regulations or establish policies related thereto and to provide legal representation of the consumer interest concerning insurance matters, certificates of need for health facilities and services as required for an activity under Section 44-7-160, and other health-related provisions;

(2) to monitor existing regulations, rate structures, and policies of that agency of special interest to consumers and report to the public through the news media proposed changes therein under consideration and the effect of those changes on the lives of the citizens of the State; and

(3) to evaluate and act upon requests from consumers concerning the matters set forth in items (1) and (2), except that any proceedings initiated by the Consumer Advocate must be brought on behalf of the

public at large and not for individuals; initiation or continuation of any proceedings is in the sole discretion of the Consumer Advocate.

(B) The annual report required of the Commission on Consumer Affairs must include a report on the activities of the Division of Consumer Advocacy.

(C) After January 1, 2005, the division must not represent consumers in matters arising under Title 58. Matters or appeals under Title 58 that are pending on January 1, 2005, shall be transferred to the Office of Regulatory Staff.

Section 37-6-605. In the performance of his assigned functions, the Consumer Advocate shall have reasonable access to records of all state agencies which are not classified by law as confidential, and all state agencies must cooperate with the Consumer Advocate in the performance of his duties. In addition, the Consumer Advocate must have reasonable access to confidential records and information if he enters a proprietary agreement to ensure their confidentiality. The South Carolina Department of Insurance and Consumer Advocate also shall have access to records, information, and data of the insurance companies as well as all of their sister affiliates, subsidiaries, and parent companies. During the course of a retaking or other proceeding initiated before the South Carolina Department of Insurance, the Consumer Advocate, as a party of record, may request in writing, in addition to all other methods of discovery as provided by law, the issuance of an order compelling a witness or company to either produce or allow inspection of documentary evidence relevant to the matter. If an order is not issued, the aggrieved party may appeal. The written request, in addition to showing a general relevance and reasonable scope of the evidence sought, must also specify with particularity the books, accounts, papers, records, or other materials of the business desired and the facts expected to be proved thereby. In lieu of a written request, the request for such an order may be made orally upon the record at the hearing, for good cause shown. Any objections to the issuance of the order must be filed within three days of being notified of the written request or the order. Any objections so filed must list the specific grounds for objection. Objections must be ruled on within ten days or the objection is denied.

Section 37-6-606. (A) Except as provided in Section 37-6-604(C), whenever the Consumer Advocate determines that it would be in the interest of consumers affected by regulatory agencies, he may file with the appropriate regulatory agency a petition requesting the regulatory agency to commence or complete a proceeding respecting any

organization whose operations substantially affect the consumer interest.

(B) The petition must state facts which claim to establish the need for the proceeding and a brief description of the substance of the order or amendment desired as a result of the proceeding.

(C) The regulatory agency may hold a public hearing or may conduct an investigation or proceeding as the regulatory agency considers appropriate in order to determine whether or not the petition should be granted.

(D) Within sixty days after the filing of the petition described in subsection (A), the regulatory agency must either grant or deny the petition. If the agency grants the petition, it must promptly commence or complete the proceeding, as requested by the petition. If the agency denies the petition, it must publish the reasons for the denial.

(E) If the regulatory agency denies the petition made under this section or, if it fails to grant or deny the petition within sixty days, the petitioner may commence a civil action in the circuit court to compel the regulatory agency to commence or complete the proceeding as requested in the petition. The action may be filed by the petitioner thirty days after the denial of the petition or, if the agency fails to grant or deny the petition within sixty days, within thirty days after the expiration of the sixty-day period.

(F) If the petitioner demonstrates to the satisfaction of the court that the failure of the agency to commence or complete the proceeding as requested in the petition was unreasonable, the court must order the agency to commence or complete the proceeding as requested in the petition.

(G) In any action under this section, the court has no authority to compel the agency to take any action other than the commencement or completion of a proceeding.

(H) The remedies under this section are in addition to and not in lieu of other remedies provided by law.

Section 37-6-607. With the exception of matters arising under Title 58, the Consumer Advocate is considered to have an interest sufficient to maintain actions for judicial review and may, as of right and in the manner prescribed by law, intervene or otherwise participate in any civil proceeding which involves the review or enforcement of an agency action that the Consumer Advocate determines may substantially affect the interests of consumers.

Section 37-6-608. To the extent necessary to carry out the consumer advocacy responsibilities, the Consumer Advocate may employ, in

addition to a regular staff, temporary, professional, technical, or research specialists to assist in preparing and presenting cases. The compensation paid to these persons may be commensurate with compensation generally paid by the regulated industry for these specialists but must not exceed the appropriation made for such purposes.

Section 37-6-609. Decisions of the Consumer Advocate respecting whether, when, or how to initiate, continue, or intervene in proceedings under Sections 37-6-601 to 37-6-608, are in the sole discretion of the Consumer Advocate, except as modified by order of a court of competent jurisdiction."

Election, qualifications, standards, and duties of commission, staff and procedures of the commission

SECTION 4, Article 1, Chapter 3, Title 58 of the 1976 Code is amended to read:

#### "Article 1

#### General Provisions

Section 58-3-5. As used in this chapter:

- (1) 'Business with which he is associated' means a business of which the person or a member of his immediate family is a director, an officer, owner, employee, a compensated agent, or holder of stock.
- (2) 'Immediate family' means an individual who is:
  - (a) a child residing in the person's household;
  - (b) a spouse of the person; or
  - (c) an individual claimed by the person or the person's spouse as a dependent for income tax purposes.
- (3) 'Commission' means the Public Service Commission.
- (4) 'Hearing officer' means a person employed by the commission to serve as a presiding officer in an adjudicative proceeding before the commission.
- (5) 'Regulatory staff' means the executive director or the executive director and employees of the Office of Regulatory Staff.
- (6) 'Public utility' means public utility as defined in Section 58-5-10, telephone utility as defined in Section 58-9-10, government-owned telecommunications service provider as defined in Section 58-9-2610, radio common carrier as defined in Section 58-11-10, carriers governed by Chapter 13 of Title 58, railroads and

railways as defined in Section 58-17-10, motor vehicle carrier as defined in Section 58-23-10, or electrical utility as defined in Section 58-27-10.

(7) 'Review committee' means the State Regulation of Public Utilities Review Committee.

Section 58-3-10. (A) The commission, as constituted under law in effect before the date this act is approved by the Governor, is reconstituted to continue in existence with the appointment and qualification of the members as prescribed in this article and with the changes in duties and powers as prescribed in this title.

(B) Nothing in this act affects the commission's jurisdiction over matters pending before the commission, on or before the date this act is approved.

Section 58-3-20. (A) The commission is composed of seven members to be elected by the General Assembly in the manner prescribed by this chapter. For any term beginning after June 30, 2006, each member must have:

- (1) a baccalaureate or more advanced degree from:
  - (a) a recognized institution of higher learning requiring face-to-face contact between its students and instructors prior to completion of the academic program;
  - (b) an institution of higher learning that has been accredited by a regional or national accrediting body; or
  - (c) an institution of higher learning chartered before 1962; and
- (2) a background of substantial duration and an expertise in at least one of the following:

- (a) energy issues;
- (b) telecommunications issues;
- (c) consumer protection and advocacy issues;
- (d) water and wastewater issues;
- (e) finance, economics, and statistics;
- (f) accounting;
- (g) engineering; or
- (h) law.

(B) The review committee may find a candidate qualified although the candidate does not have a background of substantial duration and expertise in one of the eight enumerated areas contained in subsection (A)(2) of this section if three-fourths of the review committee vote to qualify such candidate and provide written justification of their decision in the report as to the qualifications of the candidates.

(C) The qualification provisions of subsection (A) of this section do not apply to the reelection of any commissioner elected by the General Assembly on March 3, 2004, so long as there is no break in service.

(D) Beginning in 2004, the members of the Public Service Commission must be elected to staggered terms. In 2004, the members representing the second, fourth, and sixth congressional districts must be elected for terms ending on June 30, 2006, and until their successors are elected and qualify. Thereafter, members representing the second, fourth, and sixth congressional districts must be elected to terms of four years and until their successors are elected and qualify. In 2004, the members representing the first, third, and fifth congressional districts and the State at-large must be elected for terms ending on June 30, 2008, and until their successors are elected and qualify. Thereafter, members representing the first, third, and fifth congressional districts and the State at-large must be elected to terms of four years and until their successors are elected and qualify.

(E) The General Assembly must provide for the election of the seven-member commission and elect its members based upon the congressional districts established by the General Assembly pursuant to the latest official United States Decennial Census. If the number of congressional districts is less than seven, additional members must be elected at large to provide for a seven-member commission.

(F) The Governor may fill vacancies in the office of commissioner until the successor in the office for a full term or an unexpired term, as applicable, has been elected by the General Assembly. In cases where a vacancy occurs on the commission when the General Assembly is not in session, the Governor may fill the vacancy by an interim appointment. The Governor must report the interim appointment to the General Assembly and must forward a formal appointment at its next ensuing regular session.

Section 58-3-24. No member of the General Assembly or member of his immediate family shall be elected to the commission while the member is serving in the General Assembly; nor shall a member of the General Assembly or a member of his immediate family be elected to the Public Service Commission for a period of four years after the member either:

- (1) ceases to be a member of the General Assembly; or
- (2) fails to file for election to the General Assembly in accordance with Section 7-11-15.

the commissioners constitutes a quorum for the transaction of all business pertaining to their office.

Section 58-3-100. The expenses of the Transportation Department of the Public Service Commission, with the exception of the expenses incurred in its railway jurisdiction, must be borne by the revenues from license fees derived pursuant to Sections 58-23-530 through 58-23-630 and assessments to the carriers of household goods and hazardous waste for disposal carriers. The expenses of the railway section of the Public Service Commission must be borne by the railroad companies subject to the Public Service Commission's jurisdiction according to their gross income from operations in this State.

Except as specifically provided above, in Sections 58-5-940 and 58-27-50, all other expenses of the Public Service Commission must be borne by the public utilities subject to the commission's jurisdiction. On or before the first day of July in each year, the Department of Revenue must assess each public utility, railway company, household goods carrier, and hazardous waste for disposal carrier its proportion of the expenses in proportion to its gross income from operation in this State in the year ending on the thirtieth day of June preceding that on which the assessment is made which is due and payable on or before July fifteenth. The assessments must be charged against the companies by the Department of Revenue and collected by the department in the manner provided by law for the collection of taxes from the companies including the enforcement and collection provisions of Article 1, Chapter 54 of Title 12 and paid, less the department actual incremental increase in the cost of administration into the state treasury as other taxes collected by the department.

The commission must certify to the South Carolina Department of Revenue annually, but no later than May first, the amounts to be assessed.

The commission shall operate as an other-funded agency.

Section 58-3-110. The appropriation for the commission's office must be advanced by the State until it has been collected from the corporations liable therefor and, when collected, must be placed in the state treasury.

Section 58-3-130. Upon demand by the Office of Regulatory Staff, each state department, board, and commission, and each officer or agent of the State must furnish to the Office of Regulatory Staff, for inspection and confidential use, any record or information on file with the department, board, commission, or officer, as appropriate,

concerning the property values, operation, income, or other matter of any person doing business as a public utility in this State.

Section 58-3-140. (A) Except as otherwise provided in Chapter 9 of this title, the commission is vested with power and jurisdiction to supervise and regulate the rates and service of every public utility in this State and to fix just and reasonable standards, classifications, regulations, practices, and measurements of service to be furnished, imposed, or observed, and followed by every public utility in this State.

(B) The commission must develop and publish a policy manual which must set forth guidelines for the administration of the commission. All procedures must incorporate state requirements and good management practices to ensure the efficient and economical utilization of resources.

(C) The commission must facilitate access to its general rate request orders in contested matters involving more than one hundred thousand dollars by publishing an order guide which indexes and cross-references orders by subject matter and case name. The order guide must be made available for public inspection.

(D) The commission must promulgate regulations to require the direct testimony of witnesses appearing on behalf of utilities and of witnesses appearing on behalf of persons having formal intervenor status, such testimony to be reduced to writing and prefilled with the commission in advance of any hearing.

(E) Nothing in this section may be interpreted to repeal or modify specific exclusions from the commission's jurisdiction pursuant to Title 58 or any other title.

(F) When required to be filed, tariffs must be filed with the office of the chief clerk of the commission and, on that same day, provided to the Executive Director of the Office of Regulatory Staff.

Section 58-3-142. No member of the General Assembly or any member of a member's law firm shall appear before the commission in any rate-fixing proceeding by representing any party in the proceeding for any purposes including political purposes, and it is the duty of the presiding commissioner or hearing officer to enforce the provisions of this section. However, this section does not apply to any member of the General Assembly appearing as a witness on either side of any hearing.

Section 58-3-170. In case of failure of common carriers and telephone and telegraph companies to agree, the commission must supervise and fix all agreements, contracts, rates, or the divisions

thereof and regulations between or among common carriers and telephone and telegraph companies, of whatever kind, placed under the control or supervision of the commission.

Except for rates, transactions affecting rates, or transactions affecting service areas, the provisions of this section do not apply to transactions between a telephone cooperative association and its subsidiary corporation or cooperative association.

Section 58-3-180. The commission must promulgate regulations as necessary to effectuate the provisions of Section 58-3-170.

Section 58-3-190. (A) The commission has the authority to require periodic written reports to be submitted by persons or entities subject to its jurisdiction. Such reports must relate to matters within the jurisdiction of the commission and must be filed with the commission and provided to the Office of Regulatory Staff.

(B) If, in the judgment of the commission, any report referred to in subsection (A) is not furnished within a reasonable time or does not satisfactorily address the matters the commission requires to be addressed in such reports, the commission must give the person or entity written notice of the reasons why the report is not satisfactory, and the person or entity shall have a reasonable time period in which to comply with the requirements of the notice.

(C) The commission may request the Office of Regulatory Staff to make, pursuant to Section 58-4-50(A)(2), an inspection, audit, or examination of the persons or entities referred to in subsection (A) regarding matters the commission requires to be addressed in the reports referred to in subsection (A).

Section 58-3-200. The commission has the authority to initiate inspections, audits, and examinations of all persons and entities subject to its jurisdiction. Such inspections, audits, and examinations must relate to matters within the commission's jurisdiction. Notwithstanding any other provision of law, the commission must not conduct such inspections, audits, and examinations itself, but must request that they be conducted by the Office of Regulatory Staff pursuant to Section 58-4-50(A)(2).

Section 58-3-220. One-half of all penalties and forfeitures collected from railroad, express, telegraph, and telephone companies for failure to comply with orders of the commission must be paid into the state treasury, and the other half into the county treasury of the county in which the suit is brought imposing the penalty or forfeiture collected.

The revenues accruing from these collections must be used for general state and county purposes.

Section 58-3-225. (A) Hearings conducted before the commission must be conducted under dignified and orderly procedures designed to protect the rights of all parties. If a commissioner is absent from or leaves the hearing for fifteen consecutive minutes or longer, the commission must recess the hearing until the commissioner is present, or the commissioner may not participate in the deliberations or vote on the matter. If a commissioner is absent from or leaves the hearing for less than fifteen consecutive minutes, the commission shall cause the record of the proceeding to reflect the absence and the duration of the absence.

(B) All persons appearing in a representative capacity before the commission in its proceedings should conform to the standards of ethical conduct required of attorneys practicing before the courts of this State.

(C) Any person, firm, or corporation who disregards commission orders after due notice or who engages in conduct calculated to bring the due and orderly course of commission proceedings into disrespect or disregard, or to interfere with or prejudice parties or their witnesses during the proceedings may, by order of the commission or its presiding officer, be ejected for the remainder of that day from the proceedings. If that person, firm, or corporation engages in further conduct resulting in ejection for a second day or portion thereof in the same proceeding, he must also be declared in contempt and cited to any circuit judge, who may punish by a fine not to exceed five hundred dollars or imprisonment not to exceed thirty days, or both. The proscribed conduct includes, but is not limited to, any person, firm, or corporation intentionally delaying the proceedings by the injection of matters determined not to be relevant after a proper warning that the matters shall not be pursued.

(D) The provisions of this section must not be construed as limiting any powers of the commission under existing law.

(E) A party may withdraw its petition, application, complaint, counterclaim, cross-claim, or third-party claim from any commission docket one time as a matter of right, and without prejudice, provided that it does so prior to the later of the date that responsive pleadings are filed or the date that the withdrawing party's direct testimony addressing such petition, application, complaint, counterclaim, cross-claim, or third-party claim is due to be filed with the commission. A party may thereafter withdraw its petition, application, complaint, counterclaim, cross-claim, or third-party claim from any commission



docket only upon order of the commission and upon such terms and conditions as the commission considers proper.

Section 58-3-240. (A) As used in this section:

(1) 'Privately-owned industrial park' means a privately-owned tract of real property which is used solely for industrial uses, in which the provider of utility services owns or operates an industrial premises and owns or operates facilities for the provision of utility services and on which there is located one or more industrial users. 'Privately-owned industrial park' also means those additional tracts as may be subsequently incorporated into the industrial park.

(2) 'Industrial premises' means a building, structure, plant, or facility which is located in a privately-owned industrial park and is owned or leased by an industrial user.

(3) 'Industrial user' means any person, corporation, or association which is engaged in the business of manufacturing, processing, assembling, fabricating, or related work.

(4) 'Provider of utility services' means a person, corporation, or association, other than a regulated public utility or its affiliates, that offers or provides, or both, utility services to the public or any portion of it outside a privately-owned industrial park, which provides any or all of those services which are defined in Chapters 5 and 7 of this title, excluding gas, and subject to regulation by the commission and where the services are provided to an industrial user in a privately-owned industrial park.

(5) 'Jurisdictional utilities' means those persons, corporations, associations, or political subdivisions which provide services subject to the jurisdiction of the commission under Chapters 5 and 7 of this title, excluding gas.

(B) The provisions of Chapters 5 and 7 of this title, excluding gas, are not applicable to the provision of utility services to industrial users of these services where the industrial users are located in a privately-owned industrial park where the provider of utility services and the industrial user have agreed in writing to the terms and conditions for the provision of utility services and where all jurisdictional utilities which would have a right to provide any or all of the utility services have agreed in writing to waive their right to further notice and opportunity for hearing with respect to the written agreement and the provision of the services under the terms of the agreement.

(C) Within twenty days after the execution of a written agreement between a provider of utility services and an industrial user pursuant to subsection (B), the provider of utility services must file with the

commission, for information only, the written agreement and all waivers executed by jurisdictional utilities pursuant to subsection (B).

Section 58-3-250. (A) All final orders and decisions of the commission must be sufficient in detail to enable the court on appeal to determine the controverted questions presented in the proceedings and must include:

(1) findings and conclusions, and the reasons or bases therefor, upon all the material issues of fact or law presented in the record; and

(2) the appropriate rule, order, sanction, relief, or statement of denial thereof.

(B) A copy of every final order or decision under the seal of the commission must be served by registered or certified mail upon all parties to the proceeding or their attorneys. Service upon a party or upon the attorney must be made by mailing a copy to him at his last known address. If no address is known, however, service shall be made by leaving a copy with the chief clerk of the commission. The order takes effect and becomes operative when served unless otherwise designated and continues in force either for a period designated by the commission or until changed or revoked by the commission. If, in the judgment of the commission, an order cannot be complied with within the time designated, the commission may grant and prescribe additional time as is reasonably necessary to comply with the order and, on application and for good cause shown, may extend the time for compliance fixed in its order.

Section 58-3-260. (A) For purposes of this section:

(1) 'Proceeding' means a contested case, generic proceeding, or other matter to be adjudicated, decided, or arbitrated by the commission.

(2) 'Person' means a party to a proceeding pending before the commission, a member of the Office of Regulatory Staff, a representative of a party to a proceeding pending before the commission, individuals, corporations, partnerships, limited liability companies, elected officials of state government, and other public and elected officials.

(3) 'Communication' means the transmitting of information by any mode including, but not limited to, oral, written, or electronic.

(4) 'Allowable ex parte communication briefing' means any communication that is conducted pursuant to the procedure outlined in Section 58-3-260(C)(6).

(5) 'Communication of supplemental legal citation' means the submission, subsequent to the submission of post-hearing briefs or

proposed orders in a proceeding, of statutes, regulations, judicial or administrative decisions that are enacted, promulgated, or determined after the submission of post-hearing briefs or proposed orders.

(B) Except as otherwise provided herein or unless required for the disposition of ex parte matters specifically authorized by law, a commissioner, hearing officer, or commission employee shall not communicate, directly or indirectly, regarding any issue that is an issue in any proceeding or can reasonably be expected to become an issue in any proceeding with any person without notice and opportunity for all parties to participate in the communication, nor shall any person communicate, directly or indirectly, regarding any issue that is an issue in any proceeding or can reasonably be expected to become an issue in any proceeding with any commissioner, hearing officer, or commission employee without notice and opportunity for all parties to participate in the communication.

(C) The following communications are exempt from the prohibitions of Section 58-3-260(B):

(1) a communication concerning compliance with procedural requirements if the procedural matter is not an area of controversy in a proceeding;

(2) statements made by a commission employee who is or may reasonably be expected to be involved in formulating a decision, rule, or order in a proceeding, where the statements are limited to providing publicly available information about pending proceedings;

(3) inquiries relating solely to the status of a proceeding, unless the inquiry: (a) states or implies a view as to the merits or outcome of the proceeding; (b) states or implies a preference for a particular party or which states why timing is important to a particular party; (c) indicates a view as to the date by which a proceeding should be resolved; or (d) is otherwise intended to address the merits or outcome or to influence the timing of a proceeding;

(4) a communication made by or to commission employees that concerns judicial review of a matter that has been decided by the commission and is no longer within the commission's jurisdiction; however, if the matter is remanded to the commission for further action, the provisions of this section shall apply during the period of the remand;

(5) where circumstances require, ex parte communications for scheduling, administrative purposes, or emergencies that do not deal with substantive matters or issues on the merits are authorized provided:

(a) the commissioner, hearing officer, or commission employee reasonably believes that no party will gain a procedural or tactical advantage as a result of the ex parte communication; and

(b) the commissioner, hearing officer, or commission employee makes provision promptly to notify all other parties of the substance of the ex parte communication and, where possible, allows an opportunity to respond;

(6)(a) subject to the provisions of Chapter 4 of Title 30, communications, directly or indirectly, regarding any fact, law, or other matter that is or can reasonably be expected to become an issue in a proceeding for the purposes of an allowable ex parte communication briefing if:

(i) the Executive Director of the Office of Regulatory Staff or his designee attends the briefing and files a written certification, within seventy-two hours of the briefing, attaching copies of all statements and all other matters filed by all persons pursuant to subitems (ii), (iii), and (iv) of this subsection, with the chief clerk of the commission that such briefing was conducted in compliance with the provisions of this section and that each party, person, commissioner, or commission employee present has complied with the reporting and certification requirements of subitems (ii), (iii), and (iv); and within twenty-four hours of the submission by the executive director, the commission posts on its web site the written certification, statements, and other matters filed by the executive director;

(ii) each party, person, commissioner, and commission employee present files a written, certified statement with the Executive Director of the Office of Regulatory Staff within forty-eight hours of the briefing accurately summarizing the discussions in full and attaching copies of any written materials utilized, referenced, or distributed;

(iii) each party, person, commissioner, and commission employee present, within forty-eight hours of the briefing, files a certification with the Executive Director of the Office of Regulatory Staff that no commitment, predetermination, or prediction of any commissioner's action as to any ultimate or penultimate issue or any commission employee's opinion or recommendation as to any ultimate or penultimate issue in any proceeding was requested by any person or party nor any commitment, predetermination, or prediction was given by any commissioner or commission employee as to any commission action or commission employee opinion or recommendation on any ultimate or penultimate issue;

(iv) each commissioner or commission employee present at the allowable ex parte communication briefing grants to every other

party or person requesting an allowable ex parte communication briefing on the same or similar matter that is or can reasonably be expected to become an issue in a proceeding, similar access and a reasonable opportunity to communicate, directly or indirectly, regarding any fact, law, or other matter that is or can reasonably be expected to become an issue in a proceeding under the provisions of Section 58-3-260(C)(6) and files a written, certified statement with the Executive Director of the Office of Regulatory Staff within forty-eight hours of the briefing stating that the commissioner or commission employee will comply with this provision;

(v) the commission posts on its web site, at least five business days prior to the proposed briefing, a notice of each request for an allowable ex parte communication briefing that includes the date and time of the proposed briefing, the name of the person or party who requested the briefing, the name of each commissioner and commission employee whom the person or party has requested to brief, and the subject matter to be discussed at the briefing;

(vi) the person or party initially seeking the briefing requests the briefing with sufficient notice, as required in subsection (v), to allow the initial briefing to be held at least twenty business days prior to the hearing in the proceeding at which the matter that is the subject of the briefing is or can reasonably be expected to become an issue, and the initial briefing must be held at least twenty business days prior to the hearing in the proceeding; and

(vii) any person or party desiring to have a briefing on the same or similar matter as provided for in subsection (vi) requests a briefing with sufficient notice, as required in subsection (v), to allow the briefing to be held at least ten business days prior to the hearing in the proceeding at which the matter that is the subject of the briefing is or can reasonably be expected to become an issue, and any such briefing must be held at least ten business days prior to the hearing in the proceeding;

(b) any person or party may object to the attendance of the Executive Director of the Office of Regulatory Staff at an allowable ex parte communication briefing on the grounds of bias or a conflict of interest on the part of the executive director. Any such objection must be made in writing and must be filed with the executive director no later than twenty-four hours prior to the scheduled briefing. If the objecting person or party and the executive director agree upon a neutral person, that person shall serve in the executive director's stead and shall comply with the reporting and certification requirements of the executive director contained in subsection (i) and the executive director shall comply with the requirements contained in subsections

(ii) and (iii). The costs of such person's services shall be charged to the party requesting the briefing and may be an allowable cost of the proceedings. If the objecting person or party and the executive director cannot agree upon a neutral person, the objecting person or party shall petition the Administrative Law Judge Division for the appointment of a neutral person to serve in the executive director's stead, and the petition shall be given priority over all other matters within the jurisdiction of the Administrative Law Judge Division. In the petition, the objecting party shall set forth the specific grounds supporting the objecting person's or party's allegation of bias or conflict on the part of the executive director and shall generally describe the matters to be discussed at the briefing. It shall not be sufficient grounds that the executive director is or is likely to be a party to a proceeding. The executive director shall be given an opportunity to respond. Part of the executive director's response shall include recommendations as to the experience required of the person to act in his stead. Upon a showing of actual bias or conflict of interest, the administrative law judge shall designate a person to act in the executive director's stead and that person shall comply with the reporting and certification requirements of the executive director contained in subsection (i) and the executive director shall comply with the requirements contained in subsections (ii) and (iii). Such person must have the expertise to act in the executive director's stead. The decision of the administrative law judge shall be considered interlocutory and not immediately appealable and may be appealed with the final order of the commission. The costs of such person's services shall be charged to the party requesting the briefing and may be an allowable cost of the proceedings;

(c) should the Executive Director of the Office of Regulatory Staff desire to conduct an allowable ex parte communication briefing, the chief clerk of the commission shall appoint a neutral person who shall serve in the executive director's stead and that person shall comply with the reporting and certification requirements of the Executive Director of the Office of Regulatory Staff contained in subsection (i). The Executive Director of the Office of Regulatory Staff shall comply with the requirements contained in subsections (ii) and (iii);

(d) nothing in Section 58-3-260(C)(6) requires any commissioner or commission employee to grant a request for an allowable ex parte communication briefing, except as provided in Section 58-3-260(C)(6)(a)(iv);

(7) a communication of supplemental legal citation if the party files copies of such documents, without comment or argument, with the

chief clerk of the commission and simultaneously provides copies to all parties of record;

(8) subject to the provisions of Chapter 4 of Title 30, communications between and among commissioners regarding matters pending before the commission; provided, further, that any commissioner, hearing officer, or commission employee may receive aid from commission employees if the commission employees providing aid do not;

(a) receive ex parte communications of a type that the commissioner, hearing officer, or commission employee would be prohibited from receiving; or

(b) furnish, augment, diminish, or modify the evidence in the record.

(D) If before serving in a proceeding, a commissioner, hearing officer, or commission employee receives an ex parte communication of a type that may not properly be received while serving, the commissioner, hearing officer, or commission employee must disclose the communication in the following manner: a commissioner, hearing officer, or a commission employee who receives an ex parte communication in violation of this section must promptly after receipt of the communication or, in the case of a communication prior to a filing, as soon as it is known to relate to a filing, place on the record of the matter all written and electronic communications received, all written and electronic responses to the communications, and a memorandum stating the substance of all oral communications received, all responses made, and the identity of each person from whom the commissioner, hearing officer, or commission employee, as appropriate, received an ex parte communication and must advise all parties that these matters have been placed on the record. Within ten days after receipt of notice of the ex parte communication, any party who desires to rebut the contents of the communication must request and shall be granted the opportunity to rebut the contents. Parties affected by a violation may agree to a resolution of any claim regarding such violation, including the waiver of a hearing and the waiver of the obligation to report violations under Section 58-3-260(1).

(E) Any person who makes an inadvertent ex parte communication must, as soon as it is known to relate to an issue in a proceeding, disclose the communication by placing on the record of the matter the communication made, if written or electronic, or a memorandum stating the substance of an inadvertent oral communication, and the identity of each person to whom the inadvertent ex parte communication was made or given. Within ten days after receipt of notice of the ex parte communication, any party who desires to rebut

the contents of the communication must request and shall be granted the opportunity to rebut the contents. If no party rebuts the inadvertence of the ex parte communication within ten days after notice of the ex parte communication, the ex parte communication shall be presumed inadvertent. Parties affected by a violation may agree to a resolution of any claim regarding such violation, and the provisions of Section 58-3-260(1) shall not apply.

(F) If necessary to eliminate the effect of an ex parte communication received in violation of this section, a commissioner, hearing officer, or commission employee who receives the communication may be disqualified by the commission, and the portions of the record pertaining to the communication may be sealed by protective order.

(G) Nothing in this section alters or amends Section 1-23-320(1).

(H) Nothing in this section prevents a commissioner, hearing officer, or commission employee from attending educational seminars sponsored by state, regional, or national organizations and seminars not affiliated with any utility regulated by the commission; however, the provisions of this section shall apply to any communications that take place outside any formal sessions.

(I) Subject to any privilege under Rule 501 of the South Carolina Rules of Evidence, any commissioner, hearing officer, commission employee, party, or any other person must report any willful violation of this section on the part of a commissioner, hearing officer, or commission employee to the review committee.

(J) Any commissioner, hearing officer, commission employee, or person who willfully violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred fifty dollars or imprisoned for not more than six months. If a commissioner willfully communicates with any party or person or if any person or party willfully communicates with a commissioner regarding any fact, law, or other matter that is or can reasonably be expected to become an issue in a proceeding less than ten business days prior to the scheduled hearing on the merits, during the hearing or after the hearing but prior to the issuance of a final order, including an order on rehearing, in a proceeding where such facts, law, or other matter is or can reasonably be expected to become an issue, the commissioner shall be removed from office. If a hearing officer or commission employee willfully communicates with any party or person or any party or person willfully communicates with a hearing officer or commission employee regarding any fact, law, or other matter that is or can reasonably be expected to become an issue in a proceeding less than ten days prior to the scheduled hearing on the merits, during the hearing or after the

hearing but prior to the issuance of a final order, including an order on rehearing, in a proceeding where such facts, law, or other matter is or can reasonably be expected to become an issue, the hearing officer or commission employee shall be terminated from employment by the commission. For purposes of this section: (1) 'willful' means an act done voluntarily and intentionally with the specific intent to do something the law forbids, or with specific intent to fail to do something the law requires to be done, that is to say with bad purpose either to disobey or disregard the law, and (2) a violation of the provisions of this section must be proved by clear and convincing evidence before a commissioner, hearing officer, or commission employee can be removed from office or terminated from employment.

Section 58-3-270. (A) Any party seeking remedial relief from alleged violations of Section 58-3-260 may file a complaint with the Administrative Law Judge Division.

(B) A complaint seeking sanctions must include the following:

- (1) the name and address of the complainant;
- (2) the name and address of complainant's counsel, if any;
- (3) the name and address of each person alleged to have violated the ex parte prohibition, hereinafter referred to as respondent;
- (4) the name and address of each respondent's counsel, if known;
- (5) the facts constituting the alleged violation; and
- (6) the sanctions sought by the complainant.

(C) A complaint filed under this section must be served on the commission, each respondent, respondent's counsel, if known, and all persons on the commission's service list for the proceeding that is the subject of the ex parte complaint.

(D) Within seven days of service of the complaint, a respondent must file an answer with the Administrative Law Judge Division and serve it on the complainant, the commission, and all persons on the commission's service list for the proceeding that is the subject of the ex parte complaint.

(E) The administrative law judge assigned to the ex parte communication complaint proceeding by the Administrative Law Judge Division may issue an order tolling any deadlines imposed by any state statute for a decision by the commission on the proceeding that is the subject of the ex parte communication complaint. The administrative law judge assigned to the ex parte communication complaint proceeding by the Administrative Law Judge Division must conduct a hearing and must issue a decision within sixty days after the complaint is filed.

(F) The decision of the administrative law judge must describe the relevant facts of the case and must set forth the judge's findings as to whether the ex parte communication was in violation of Section 58-3-260. The judge also must impose sanctions in accordance with subsection (G) of this section. In imposing these sanctions, the judge, as a matter of equity, must protect: (1) the rights and interests of parties who are not alleged to have violated Section 58-3-260, and (2) the public interest in general.

(G) In his decision, the administrative law judge may impose the following sanctions:

(1) dismiss the proceeding if the prohibited ex parte communication has so prejudiced the proceeding that the commission cannot consider the matter impartially;

(2) issue an adverse ruling on a pending issue that is the subject of the prohibited ex parte communication if other parties are prejudiced by the prohibited ex parte communication;

(3) strike evidence or pleadings if the evidence or pleadings are tainted by the prohibited ex parte communication;

(4) issue a public statement of censure or explanation, if it is determined that the prohibited ex parte communication occurred but mitigating circumstances exist that:

(a) negate the need for a more severe sanction;

(b) indicate that the proceeding was not prejudiced to the extent that the commission is unable to consider the matter in the proceeding impartially;

(c) indicate that the ex parte communication did not prejudice other parties; or

(d) indicate that the ex parte communication did not taint the evidence or pleadings.

(H) If the administrative law judge finds the complainant's allegation of an ex parte violation was interposed for any improper purpose, such as to harass or cause unnecessary delay or increase the cost of the proceeding, the administrative law judge may issue an appropriate sanction against the complainant.

(I) Any decision of an administrative law judge pursuant to this section shall be considered interlocutory in nature and is not immediately appealable until a final order of the commission has been issued. Any appeal of a decision of an administrative law judge pursuant to this section must be included in and made in the same manner as an appeal of the final order of the commission in the subject proceeding.

Section 58-3-280. A commissioner must not be employed or retained by a public utility for a period of at least one year following his service as a commissioner. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or be imprisoned for not more than one year, or both."

#### State Regulation of Public Utilities Review Committee

SECTION 5. Chapter 3, Title 58 of the 1976 Code is amended by adding:

#### "Article 5

#### State Regulation of Public Utilities Review Committee

Section 58-3-510. There is hereby established a committee to be known as the State Regulation of Public Utilities Review Committee, hereinafter called the review committee, which must exercise the powers and fulfill the duties described in this article.

Section 58-3-520. (A) The review committee shall be composed of ten members, three of whom shall be members of the House of Representatives, including the Chairman of the Labor, Commerce and Industry Committee, or his designee, three of whom shall be members of the Senate, including the Chairman of the Judiciary Committee or his designee, two of whom shall be appointed by the Chairman of the Senate Judiciary Committee from the general public at large, and two of whom appointed by the Speaker of the House of Representatives from the general public at large. The Speaker of the House of Representatives shall determine how its legislative members shall be selected. The Chairman of the Senate Judiciary Committee will select the members of the Senate. Provided, however, that in making appointments to the joint committee, race, gender, and other demographic factors should be considered to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State. The members of the general public appointed by the Speaker and the Chairman of the Senate Judiciary Committee must be representative of all citizens of this State and must not be members of the General Assembly.

(B) The review committee must meet as soon as practicable after appointment and organize itself by electing one of its members as chairman and such other officers as the review committee may consider

necessary. Thereafter, the review committee must meet at least annually and at the call of the chairman or by a majority of the members. A quorum consists of six members.

(C) Unless the review committee finds a candidate qualified and nominates the candidate for a seat on the Public Service Commission or for the Executive Director of the Office of Regulatory Staff, the candidate must not be elected to the Public Service Commission or appointed to serve as Executive Director of the Office of Regulatory Staff.

Section 58-3-530. The review committee has the following powers and duties:

(1) to nominate:

(a) no more than three candidates for each seat on the Public Service Commission to be elected by the General Assembly. In order to be nominated, a candidate must be found qualified by meeting the requirements as provided in Sections 58-3-20 and 58-3-560;

(b) no more than one qualified candidate for the Governor to consider in appointing the Executive Director of the Office of Regulatory Staff. In order to be nominated, a candidate must be found qualified by meeting the minimum requirements as provided in Section 58-4-30. The review committee must give due consideration to a candidate's experience and expertise in matters related to public utilities. A person must not be appointed to serve as Executive Director of the Office of Regulatory Staff unless nominated by the review committee. If the Governor rejects a person nominated for the position of executive director by the review committee, the review committee must nominate another candidate for the Governor to consider, until the Governor makes an appointment;

(2) notwithstanding any other provision of law, to set the salary of the Executive Director of the Office of Regulatory Staff;

(3) to conduct an annual performance review of each member of the commission, which must be submitted to the General Assembly. A draft of the member's performance review must be submitted to the member, and the member must be allowed an opportunity to be heard before the review committee before the final draft of the performance review is submitted to the General Assembly. The final performance review must be made a part of the member's record for consideration if the member seeks reelection to the commission;

(4) to evaluate the actions of the commission, to the end that the members of the General Assembly may better judge whether these actions serve the best interests of the citizens of South Carolina, both individual and corporate;

(5) to develop and distribute to each party and its representatives appearing before the commission an anonymous and confidential survey evaluating the commissioners. At a minimum, the survey must include the following:

- (a) knowledge and application of substantive utility issues; ability to perceive relevant issues;
- (b) absence of influence by political considerations;
- (c) absence of influence by identities of lawyers;
- (d) absence of influence by identities of litigants;
- (e) courtesy to all persons appearing before the commission; and
- (f) temperament and demeanor in general, preparation for hearings, and attentiveness during hearings.

(6) to submit to the General Assembly, on an annual basis, the review committee's evaluation of the performance of the commission. A proposed draft of the evaluation must be submitted to the commission prior to submission to the General Assembly, and the commission must be given an opportunity to be heard before the review committee prior to the completion of the evaluation and its submission to the General Assembly;

(7) to conduct an annual performance review of the Executive Director of the Office of Regulatory Staff, which must be submitted to the General Assembly. A draft of the executive director's performance review must be submitted to the executive director, and the executive director must be allowed an opportunity to be heard before the review committee before the final draft of the performance review is submitted to the General Assembly;

(8) to submit to the General Assembly, on an annual basis, the review committee's evaluation of the performance of the Office of Regulatory Staff. A proposed draft of the evaluation must be submitted to the Office of Regulatory Staff prior to submission to the General Assembly, and the Office of Regulatory Staff must be given an opportunity to be heard before the review committee prior to the completion of the evaluation and its submission to the General Assembly;

(9) to assist in developing an annual workshop of at least six contact hours concerning ethics and the Administrative Procedures Act for the commissioners and employees of the Public Service Commission and the executive director and employees of the Office of Regulatory Staff;

(10) to make reports and recommendations to the General Assembly on matters relating to the powers and duties set forth in this section;

(11) to submit a letter with the annual budget proposals of the Office of Regulatory Staff and the Public Service Commission, indicating the review committee has reviewed and approved the proposals;

(12) to appoint a committee from the general public at large to advise the review committee on any of its powers and duties. Members must not be members of the General Assembly, members or employees of the Public Service Commission, or the executive director or employees of the Office of Regulatory Staff; and

(13) to undertake such additional studies or evaluations as the review committee considers necessary.

Section 58-3-540. (A) The review committee members are entitled to such mileage, subsistence, and per diem as authorized by law for members of boards, committees, and commissions while in the performance of the duties for which appointed. These expenses shall be paid from the general fund of the State on warrants duly signed by the chairman of the review committee and payable by the authorities from which they are appointed, except as provided in Section 58-3-540(B).

(B) The expenses associated with the review committee's duties to qualify and nominate candidates for the commission and the Executive Director of the Office of Regulatory Staff, to develop and distribute surveys, to develop an annual workshop on ethics and the Administrative Procedures Act, and to undertake studies shall be borne by the public utilities subject to the jurisdiction of the Public Service Commission. On or before the first day of July in each year, the Department of Revenue must assess each public utility its proportion of the expenses in proportion to its gross income from operation in this State in the year ending on the thirtieth day of June preceding that on which the assessment is made which is due and payable on or before July fifteenth. The assessments must be charged against the companies by the Department of Revenue and collected by the department in the manner provided by law for the collection of taxes from the companies including the enforcement and collection provisions of Article 1, Chapter 54 of Title 12 and paid, less the Department of Revenue actual incremental increase in the cost of administration into the state treasury as other taxes collected by the Department of Revenue for the State. The review committee must certify to the Department of Revenue annually on or before May first the amounts to be assessed. The expenses of the review committee shall be advanced by a legislative body and the legislative body incurring such expense shall be reimbursed by the State at such time as the funds have been collected



from the corporations liable therefor and, when collected, placed in the state treasury.

Section 58-3-550. (A) The review committee must use clerical and professional employees of the General Assembly for its staff, who must be made available to the review committee.

(B) The review committee may employ or retain other professional staff, upon the determination of the necessity for other staff by the review committee.

(C) The review committee may employ consultants to assist in identifying candidates for the Executive Director of the Office of Regulatory Staff.

(D) Except as provided in Section 58-3-540(B), the costs and expenses of the review committee must be funded in the annual state General Appropriations Act.

Section 58-3-560. (A) Whenever an election is to be held by the General Assembly in joint session to elect a person to serve on the commission, the review committee must conduct its screening pursuant to the provisions of Section 2-20-10, et seq.; however, Section 2-20-40 is not applicable to a screening by the review committee.

(B) In order to be nominated for a seat on the commission, candidates must meet the requirements of Section 58-3-20 and this section. In screening candidates for the commission and making its findings, the review committee must seek to find the best qualified people by giving due consideration to:

(1) ability, dedication, compassion, common sense, and integrity of the candidates; and

(2) the race and gender of the candidates and other demographic factors to assure nondiscrimination to the greatest extent possible of all segments of the population of the State.

Section 58-3-570. The review committee may conduct a comprehensive study of other states' commissions' structures, responsibilities, qualifications, and compensation. The review committee may prepare and deliver this report along with its recommendations to the General Assembly on or before January 15, 2006.

Section 58-3-580. No later than June 30, 2004, the review committee must allocate personal service positions within the commission to either the commission or the Office of Regulatory Staff. The review committee must organize appropriate divisions within the

commission and, as submitted by the executive director, within the Office of Regulatory Staff. Notwithstanding any other provision of law, the review committee is authorized to approve position descriptions and compensation schedules for each position within the Office of Regulatory Staff. Notwithstanding any other provision of law, the salary of the Executive Director of the Office of Regulatory Staff shall not be construed as limiting the maximum salary that may be paid to other employees of the Office of Regulatory Staff. The review committee's authority to reorganize the agencies and assign personal service positions supersedes any provision of law to the contrary. In effectuating the review committee's assignment of positions between agencies, the Budget and Control Board is directed to assign through transfer both the position and the appropriation for the position. Notwithstanding this section or any other provision of law, the Executive Director of the Office of Regulatory Staff has sole authority to select and employ personnel of the Office of Regulatory Staff. On and after June 30, 2004, a commission employee whose position is transferred to the Office of Regulatory Staff is, upon application to the executive director, entitled only to due consideration for the position."

#### Office of Regulatory Staff

SECTION 6. Title 58 of the 1976 Code is amended by adding:

#### "CHAPTER 4

#### Office of Regulatory Staff

Section 58-4-5. As used in this chapter:

(1) 'Business with which he is associated' means a business of which the person or a member of his immediate family is a director, an officer, owner, employee, a compensated agent, or holder of stock.

(2) 'Immediate family' means an individual who is:

(a) a child residing in the person's household;

(b) a spouse of the person; or

(c) an individual claimed by the person or the person's spouse as a dependent for income tax purposes.

(3) 'Commission' means the Public Service Commission.

(4) 'Hearing officer' means a person employed by the commission to serve as a presiding officer in an adjudicative proceeding before the commission.

(5) 'Regulatory staff' means the executive director or the executive director and employees of the Office of Regulatory Staff.



(6) 'Public utility' means public utility as defined in Section 58-5-10, telephone utility as defined in Section 58-9-10, government-owned telecommunications service provider as defined in Section 58-9-2610, radio common carrier as defined in Section 58-11-10, carriers governed in Chapter 13 of Title 58, railroads and railways as defined in Section 58-17-10, motor vehicle carrier as defined in Section 58-23-10, or electrical utility as defined in Section 58-27-10.

(7) 'Review committee' means the State Regulation of Public Utilities Review Committee.

Section 58-4-10. (A) There is hereby created the Office of Regulatory Staff as a separate agency of the State with the duties and organizations as hereinafter provided.

(B) Unless and until it chooses not to participate, the Office of Regulatory Staff must be considered a party of record in all filings, applications, or proceedings before the commission. The regulatory staff must represent the public interest of South Carolina before the commission. For purposes of this chapter, 'public interest' means a balancing of the following:

(1) concerns of the using and consuming public with respect to public utility services, regardless of the class of customer;

(2) economic development and job attraction and retention in South Carolina; and

(3) preservation of the financial integrity of the state's public utilities and continued investment in and maintenance of utility facilities so as to provide reliable and high quality utility services.

(C) The Office of Regulatory Staff is subject to the provision of Section 58-3-260 prohibiting ex parte communications with the commission, and any advice given to the commission by the regulatory staff must be given in a form, forum, and manner as may lawfully be given by any other party or person.

Section 58-4-20. (A) The Office of Regulatory Staff shall consist of the executive director, transportation inspectors, pipeline safety inspectors, railway safety inspectors, and other professional, administrative, technical, and clerical personnel as may be necessary in order for the regulatory staff to represent the public interest, as hereinafter provided. All such personnel must be appointed, supervised, and directed by the executive director.

(B) The regulatory staff is not subject to the supervision, direction, or control of the commission, the chairman, or members of the commission.

(C) The Office of Regulatory Staff must not be physically housed in the same location as the Public Service Commission. The review committee must approve the location of the Office of Regulatory Staff.

Section 58-4-30. (A) The Executive Director of the Office of Regulatory Staff must be an attorney qualified to practice in all courts of this State with a minimum of eight years' practice experience and must be appointed pursuant to the procedure set forth in Section 58-3-530(1)(b).

(B) The review committee must nominate one candidate as qualified to serve as executive director for the Governor's consideration.

(1) A person must not be appointed to serve as Executive Director of the Office of Regulatory Staff unless the review committee nominates the person.

(2) If the Governor rejects a person nominated by the review committee for executive director, the review committee must nominate another candidate for the Governor to consider, until the Governor makes an appointment.

(C) The executive director must be appointed by the Governor for a term of six years and until his successor is appointed.

(D) The executive director must be initially appointed by the Governor on or before May 1, 2004. Thereafter, the executive director must be appointed by the Governor on or before April first of the year in which the term of the executive director begins.

(E) The initial term of office for the executive director begins July 1, 2004.

(F) The executive director may be removed from office by the Governor in the event of his incapacity to serve. In addition, the executive director may be removed for cause from office by the Governor pursuant to Section 1-3-240(C).

(G) In case of a vacancy in the office of executive director for any reason prior to the expiration of his term of office, the name of a nominee for the executive director's successor must be submitted by the review committee to the Governor.

(H) The executive director must take the oath of office provided by the Constitution and the oaths prescribed by law for state officers.

(I) The Office of Regulatory Staff shall be subject to annual review by the review committee; however, decisions of the Office of Regulatory Staff with respect to duties and responsibilities contained in Section 58-4-50 are in the sole discretion of the executive director, except as modified by order of a court of competent jurisdiction.

(J) The salary of the executive director must be set by the review committee.

Section 58-4-40. (A) Unless otherwise provided by law, no person may serve as the Executive Director of the Office of Regulatory Staff if the commission regulates any business with which that person is associated.

(B) If the commission regulates a business with which an employee of the Office of Regulatory Staff is associated, the employee must annually file a statement of economic interests notwithstanding the provisions of Section 8-13-1110.

(C) No person may be an employee of the Office of Regulatory Staff if the Public Service Commission regulates a business with which he is associated and this relationship creates a continuing or frequent conflict with the performance of his official responsibilities.

Section 58-4-50. (A) It is the duty and responsibility of the regulatory staff to:

(1) when considered necessary by the Executive Director of the Office of Regulatory Staff and in the public interest, review, investigate, and make appropriate recommendations to the commission with respect to the rates charged or proposed to be charged by any public utility;

(2) when considered necessary by the Executive Director of the Office of Regulatory Staff and in the public interest, make inspections, audits, and examinations of public utilities regarding matters within the jurisdiction of the commission. The regulatory staff has sole responsibility for this duty but shall also make such inspections, audits, or examinations of public utilities as requested by the commission;

(3) when considered necessary by the Executive Director of the Office of Regulatory Staff and in the public interest, review, investigate, and make appropriate recommendations to the commission with respect to the service furnished or proposed to be furnished by any public utility;

(4) represent the public interest in commission proceedings, hearings, rulemakings, adjudications, arbitrations, and other regulatory matters unless the Executive Director of the Office of Regulatory Staff chooses to opt out as a participant under the provisions of item 10;

(5) investigate complaints affecting the public interest generally, including those which are directed to the commission, commissioners, or commission employees, and where appropriate, make recommendations to the commission with respect to these complaints;

(6) upon request by the commission, make studies and recommendations to the commission with respect to standards,

regulations, practices, or service of any public utility pursuant to the provisions of this title;

(7) make recommendations to the commission with respect to standards, regulations, practices, or service of any public utility pursuant to the provisions of this title;

(8) when considered necessary by the Executive Director of the Office of Regulatory Staff and in the public interest, provide legal representation of the public interest before state courts, federal regulatory agencies, and federal courts in proceedings that could affect the rates or service of any public utility;

(9) to serve as a facilitator or otherwise act directly or indirectly to resolve disputes and issues involving matters within the jurisdiction of the commission;

(10) when considered appropriate by the Executive Director of the Office of Regulatory Staff and not adverse to the public interest, choose to not participate in any commission proceeding; and

(11) when considered necessary by the Executive Director of the Office of Regulatory Staff and in the public interest, educate the public on matters affecting public utilities which are of special interest to consumers.

(B) Subject to the provisions of Section 58-3-260 and, upon request, the Executive Director of the Office of Regulatory Staff must employ the resources of the regulatory staff to furnish to the commission, or its members, such information and reports or conduct such investigations and provide other assistance as may reasonably be required in order to supervise and control the public utilities of the State and to carry out the laws providing for their regulation.

(C) Each year, the Executive Director of the Office of Regulatory Staff and the regulatory staff employees must attend a workshop of at least six contact hours concerning ethics and the Administrative Procedures Act. This workshop must be developed with input from the review committee.

Section 58-4-55. (A) The regulatory staff, in accomplishing its responsibilities under Section 58-4-50, may require the production of books, records, and other information that, upon request of the regulatory staff, must be submitted under oath. If the books, records, or other information provided do not appear to disclose full and accurate information and, if such apparent deficiencies are not cured after reasonable notice, the regulatory staff may require the attendance and testimony under oath of the officers, accountants, or other agents of the parties having knowledge thereof at such place as the regulatory staff may designate and the expense of making the necessary examination or

inspection for the procuring of the information must be paid by the party examined or inspected, to be collected by the regulatory staff by suit or action, if necessary. If, however, the examination and inspection and the reports thereof disclose that full and accurate information had previously been made, the expense of making the examination and inspection must be paid out of the funds of the regulatory staff.

(B) If the regulatory staff initiates an inspection, audit, or examination of a public utility, the public utility that is the subject of the inspection, audit, or examination may petition the commission to terminate or limit the scope of such inspection, audit, or examination. The commission must grant such petition if it finds that such inspection, audit, or examination is arbitrary, capricious, unnecessary, unduly burdensome, or unrelated to the public utility's regulated operations.

(1) If such an inspection, audit, or examination is not part of a contested case proceeding, the public utility may also raise objections or seek relief available under the South Carolina Rules of Civil Procedure to a party upon whom discovery is served or to a person upon whom a subpoena is served. The commission shall provide the regulatory staff reasonable notice to respond to any such objection or request. Absent the consent of the public utility raising such an objection or request and the Office of Regulatory Staff, the commission must rule on such an objection or request within sixty days of the date it was filed. During the pendency of the commission's ruling, the public utility making such an objection or request is not required to produce or provide access to any documents or information that is the subject of the objection or request.

(2) If such an inspection, audit, or examination is part of a contested case proceeding, the commission shall address objections to information sought by the regulatory staff in the same manner in which it addresses objections to discovery issued by the parties to the contested case proceeding.

(C) Any public utility that provides the regulatory staff with copies of or access to documents or information in the course of an inspection, audit, or examination that is not part of a contested case proceeding may designate any such documents or information as confidential or proprietary if it believes in good faith that such documents or information would be entitled to protection from public disclosure under the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law. The regulatory staff may petition the commission for an order that some or all of the documents so designated are not entitled to protection from public disclosure and it shall be incumbent on the utility to prove that such documents are

entitled to protection from public disclosure under the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law. The commission shall rule on such petition after providing the regulatory staff and the utility an opportunity to be heard. Unless the commission's order on such a petition contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from public disclosure under Sections 30-4-10, et seq. and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity; provided, however, that, if the commission determines that it is necessary to view such documents or information in order to rule on such a petition, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection during the pendency of the petition.

(D) Nothing in this section restricts the regulatory staff's ability to serve discovery in a contested case proceeding that seeks the type of documents or information the regulatory staff has obtained in the course of any review, investigation, inspection, audit, or examination, nor does anything in this section restrict the ability of any public utility to object to such discovery or to seek relief regarding such discovery, including without limitation the entry of a protective order.

Section 58-4-60. (A) The Office of Regulatory Staff must be staffed and equipped to perform the functions described in Section 58-4-50. The expenses of the office must be paid as set forth in Section 58-3-100 and this section. The executive director, within established budgetary limits and as allowed by law, must authorize and approve travel, subsistence, and related necessary expenses of the executive director or regulatory staff incurred while traveling on official business.

(B) The expenses of the Transportation Department of the Office of Regulatory Staff, with the exception of the expenses incurred in its railway jurisdiction, must be borne by the revenues from license fees derived pursuant to Sections 58-23-530 through 58-23-630, and assessments to the carriers of household goods and hazardous waste for disposal carriers. The expenses of the railway section of the Office of regulatory staff must be borne by the railroad companies subject to the commission's jurisdiction according to their gross income from operations in this State.

All other expenses of the Office of Regulatory Staff must be borne by the public utilities subject to the jurisdiction of the commission. On or before the first day of July in each year, the Department of Revenue

must assess each public utility, railway company, household goods carrier, and hazardous waste for disposal carrier its proportion of the expenses in proportion to its gross income from operation in this State in the year ending on the thirtieth day of June preceding that on which the assessment is made which is due and payable on or before July fifteenth. The assessments must be charged against the companies by the Department of Revenue and collected by the department in the manner provided by law for the collection of taxes from the companies including the enforcement and collection provisions of Article 1, Chapter 54 of Title 12 and paid, less the Department of Revenue actual incremental increase in the cost of administration into the state treasury as other taxes collected by the Department of Revenue for the State.

(C) The Office of Regulatory Staff must certify to the Department of Revenue annually on or before May first the amounts to be assessed.

(D) The Office of, shall operate as an other-funded agency.

(E) The appropriation for the Office of Regulatory Staff shall be advanced by the State until such time as funds have been collected from the corporations liable therefor and, when collected, must be placed in the state treasury.

Section 58-4-80. The executive director representing the regulatory staff is considered to have an interest sufficient to maintain actions for judicial review from commission orders or decisions and may, as of right and in a manner prescribed by law, intervene or otherwise participate in any civil proceeding which involves the review or enforcement of commission action that the executive director determines may substantially affect the public interest. This right includes intervention in any action for judicial review from commission orders or decisions that are pending at any stage of the action. The executive director representing the regulatory staff has the same rights of appeal from commission orders or decisions as other parties to commission proceedings.

Section 58-4-90. Except as required by Section 58-4-50, decisions relating to whether, when, or how to initiate, continue, participate, or intervene in proceedings pursuant to Section 58-4-50 are in the sole discretion of the executive director, except as modified by order of a court of competent jurisdiction.

Section 58-4-100. To the extent necessary to carry out regulatory staff responsibilities, the executive director is authorized to employ expert witnesses and other professional expertise as the executive director may consider necessary to assist the regulatory staff in its

participation in commission proceedings. The compensation paid to these persons may not exceed compensation generally paid by the regulated industry for such specialists. The compensation and expenses therefor must be paid by the public utility or utilities participating in the proceedings upon order of the commission or from the regulatory staff's budget. If paid by the public utility or utilities, the compensation and expenses must be treated by the commission, for ratemaking purposes, in a manner generally consistent with its treatment of similar expenditures incurred by utilities in the presentation of their cases before the commission. An accounting of compensation and expenses must be reported annually to the review committee, the Speaker of the House of Representatives, and the Chairman of the Senate Judiciary Committee.

Section 58-4-110. The regulatory staff must make and publish annual reports to the General Assembly on its activities in the interest of the using and consuming public.

Section 58-4-120. Rules governing the internal administration and operations of the Office of the Regulatory Staff must be promulgated by the office and subject to review by the General Assembly as are rules of procedure promulgated by the Supreme Court under Article V of the Constitution. After submission to the House of Representatives, the Speaker shall refer the rules to the Labor, Commerce and Industry Committee. After submission to the Senate, the President shall refer the rules to the Judiciary Committee.

Section 58-4-130. The executive director must not interview or seek employment with a public utility while serving as executive director. The executive director may not represent or appear on behalf of a public utility in any proceeding before the commission in any matter within the commission's jurisdiction for one year after serving as executive director. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or be imprisoned for not more than one year, or both."

#### Fuel costs related to purchased power

SECTION 7. Section 58-27-865(A) of the 1976 Code, as last amended by Act 348 of 1996, is further amended to read:

"(A)(1) The words 'fuel cost' as used in this section include the cost of fuel, fuel costs related to purchased power, and the cost of SO2

emission allowances as used and must be reduced by the net proceeds of any sales of SO<sub>2</sub> emission allowances by the utility.

(2) In order to clarify the intent of this section, 'fuel costs related to purchased power', as used in subsection (A)(1) shall include:

(a) costs of 'firm generation capacity purchases', which are defined as purchases made to cure a capacity deficiency or to maintain adequate reserve levels; costs of firm generation capacity purchases include the total delivered costs of firm generation capacity purchased and shall exclude generation capacity reservation charges, generation capacity option charges, and any other capacity charges;

(b) the total delivered cost of economy purchases of electric power including, but not limited to, transmission charges; 'economy purchases' are defined as purchases made to displace higher cost generation, at a price which is less than the purchasing utility's avoided variable costs for the generation of an equivalent quantity of electric power."

## Report

SECTION 8. (A) On or before January 1, 2005, the Code Commissioner must prepare and deliver to the State Regulation of Public Utilities Review Committee, a report of all code references and other references and provisions in Title 58 which he considers in need of correction or modification as a result of the provisions of this act.

(B) The Code Commissioner is directed to insert the date this act is approved in place of the language "the date this act is approved" as used in Section 58-3-10.

## Election

SECTION 9. The Senate and the House of Representatives shall meet in joint assembly in the Hall of the House of Representatives on Wednesday, March 3, 2004, at 12:00 noon, to elect successors to the seven-member Public Service Commission whose current terms expired June 30, 2002. All nominations must be made by the Committee to Review Candidates for the Public Service Commission and no further nominating or seconding speeches may be made by members of the General Assembly on behalf of any candidate.

## Repeal

SECTION 10. Section 58-3-80, Section 58-3-145, and Section 58-3-160 are repealed on the date this act is approved. Section 58-3-26

is repealed March 4, 2004. Section 58-3-95, Section 58-3-150, and Section 58-3-210 are repealed January 1, 2005. Section 58-3-120 is repealed January 1, 2005; however, the repeal of this provision will not affect any pending cases in which the Attorney General is a party before the commission or otherwise affect the authority of the Attorney General.

## Severability

SECTION 11. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words thereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

## Time effective

SECTION 12. (1) Section 8-13-935, as contained in SECTION 2, Section 37-6-601, as contained in SECTION 3, Section 37-6-602, as contained in SECTION 3, Section 37-6-603, as contained in SECTION 3, Section 37-6-608, as contained in SECTION 3, Section 37-6-609, as contained in SECTION 3, Section 58-3-5, as contained in SECTION 4, Section 58-3-10, as contained in SECTION 4, Section 58-3-20(A), as contained in SECTION 4, Section 58-3-20(B), as contained in SECTION 4, Section 58-3-20(C), as contained in SECTION 4, Section 58-3-20(D), as contained in SECTION 4, Section 58-3-20(F), as contained in SECTION 4, Section 58-3-24, as contained in SECTION 4, Section 58-3-25, as contained in SECTION 4, Section 58-3-30, as contained in SECTION 4, Section 58-3-40, as contained in SECTION 4, Section 58-3-50, as contained in SECTION 4, Section 58-3-70, as contained in SECTION 4, Section 58-3-90, as contained in SECTION 4, Section 58-3-100, as contained in SECTION 4, Section 58-3-110, as contained in SECTION 4, Section 58-3-142, as contained in SECTION 4, Section 58-3-170, as contained in SECTION 4, Section 58-3-180, as contained in SECTION 4, Section 58-3-220, as contained in SECTION 4, Section 58-3-240, as contained in SECTION 4, Section 58-3-250, as contained in SECTION 4, Section 58-3-280, as contained in SECTION 4, Section 58-27-865, as contained in SECTION 7, SECTION 8,

SECTION 9, SECTION 10, and SECTION 11 take effect upon approval by the Governor.

(2) Section 1-3-240(C), as contained in SECTION 1, Article 5 of Chapter 3 of Title 58, as contained in SECTION 5, Section 58-4-30, as contained in SECTION 6, Section 58-4-40, as contained in SECTION 6, take effect March 4, 2004.

(3) Section 58-3-20(E), as contained in SECTION 4, Section 58-3-225, as contained in SECTION 4, Section 58-4-5, as contained in SECTION 6, Section 58-4-10(A), as contained in SECTION 6, Section 58-4-10(C), as contained in SECTION 6, Section 58-4-20, as contained in SECTION 6, Section 58-4-60, as contained in SECTION 6, Section 58-4-90, as contained in SECTION 6, Section 58-4-100, as contained in SECTION 6, Section 58-4-110, as contained in SECTION 6, Section 58-4-120, as contained in SECTION 6, and Section 58-4-130, as contained in SECTION 6, take effect July 1, 2004.

(4) Section 37-6-604, as contained in SECTION 3, Section 37-6-605, as contained in SECTION 3, Section 37-6-606, as contained in SECTION 3, Section 37-6-607, as contained in SECTION 3, Section 58-3-60, as contained in SECTION 4, Section 58-3-130, as contained in SECTION 4, Section 58-3-140, as contained in SECTION 4, Section 58-3-190, as contained in SECTION 4, Section 58-3-200, as contained in SECTION 4, Section 58-3-260, as contained in SECTION 4, Section 58-3-270, as contained in SECTION 4, Section 58-4-10(B), as contained in SECTION 6, Section 58-4-50, as contained in SECTION 6, Section 58-4-55, as contained in SECTION 6, Section 58-4-80, as contained in SECTION 6, take effect January 1, 2005.

Ratified the 12<sup>th</sup> day of February, 2004.

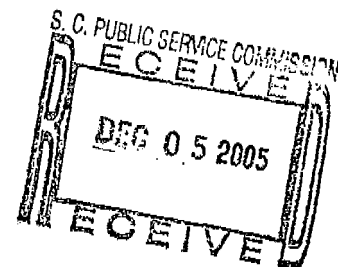
Approved the 18<sup>th</sup> day of February, 2004. -- S.

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177118

December 2, 2005

To: S. C. Public Commission  
101 Executive Center Dr.  
Saluda Bldg. STE 100  
Columbia, S. C. 29211



From: Joseph L. Godfrey  
8608 Maywood Dr.  
Columbia, S. C. 29209

Re: Complaint against Carolina Water Services, Inc.  
110 Queen Parkway  
West Columbia, S. C. 29171

Location of house serviced by Carolina Water Services, Inc:  
470 Smallwood Drive  
Chapin, S. C. 29036

Account # 00373 000068 0

Billing for service dates 06-14-05 thru 07-12-05  
Number of days 28  
Usage 72,110 gal.  
Amount of charge for water \$248.46

Here are the facts:

- 1- This house was built in 1987.
- 2- I have been obtaining service from Carolina Water since 1987. (18 years)
- 3- No one lives in this house.
- 4- It is a small lake house and used average of 5 days a month.
- 5- The average monthly useage of water has always been 1500 gal.
- 6- This is the 1st billing I have ever received like this (way out of line with ave)
- 7- No leaks were found. This was checked by myself, Carolina Water Serv. and Chad Campbell of Consumer Affairs.
- 8- No construction was going on during this period.
- 9- The question was brought up-if neighbors would have used my water?  
This is not possible as the neighbor on one side is a single school teacher who lives by-himself and pumps his water from the lake to use on his yard. The other neighbor is like me in that he lives in Columbia and uses his house as a week end retreat. I have only seen him 2 times in 2 years.
- 10- I gave Dolly Lewis (carolina water) permission to go and talk with my neighbors to verify the number of days any one is at the house.

- 11- Carolina Water said they checked the meter and it was correct.
- 12- Carolina Water says this is the same Meter that was read for the disputed billing period. (this may be true, but I have no way of knowing)

EFFORTS MADE TO RESOLVE PROBLEM:

- 1- After receiving the billing in question, I called Carolina Water Serv. and spoke with Dolly Lewis. I told her no-way could this bill be correct and all she had to do was check her records for useage since 1987. She told me that the meter had been checked and it was correct and that the meter does not make mistakes. She was going to do nothing and if I was not satisfied, to call Chad Campbell at the Consumer Affairs Office.
- 2- On 08-03-05 I filed a complaint with Consumer Affairs.
- 3- On 08-15-05 I received a call from Chad Campbell about my complaint. He said he would check with Carilina Water Service.
- 4- On: 09-01-05 Chad Campbell called me to set up a meeting with me at the Lake House. However he called me later and said would have to cancel the meeting due to the gasoline prices kept him from traveling.
- 5- I meet with Chad Campbell in his office 09-14-05 to review my past bills and the amount of useage in the past. We agreed that the way to resolve the problem was have Carolina Water Serv. average my billing for 12 months and I pay that amount for the disputed month. He said he would call Dolly Lewis see if this could be done.
- 5- After my complaint was filed with Consumer Affairs Office I received threatening notices every month that my water service would be turned off. (I continued to pay the monthly bills each month except for the disputed month).
- 6- I wrote Dolly Lewis on 9-5-05 about receiving the threatening notices and told her this should not happen when a dispute is in progress.
- 7- I continued to receive the threats, even after writting her. This certainly does not speak well for Carolina Water.
- 8- On 10-4-05 Chad Campbell wrote Dolly Lewis about me paying the monthly average for the month in question.
- 9- I received copy of letter that Dolly Lewis wrote to Chad Campbell 10-11-05 telling him that no adjustment would be given.



- 10- Chad Campbell set up a meeting with Dolly Lewis and myself for 11-21-05 at his office in an effort to resolve the problem before I would file a complaint with The Public Service Comm. This was useless as the powerful Utility Co. or one of their employees thinks they are God.

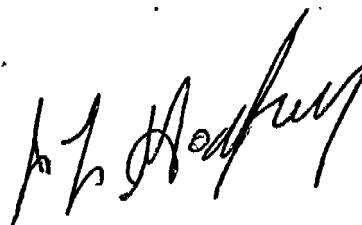
Results of meeting: They say meter don't make mistakes  
meter said I used I used 72,110 gal (in 28 days)

I say this impossible based on past records.  
I say house used 5 days during the 28 days..  
I say common sense tells you something is not right.  
I say man made equipment can make errors.  
I say what could I do with this much water.  
I say this never occurred before in 18 years.

RELIEF SOUGHT FROM THE PUBLIC SERVICE COMMISSION:

Adjust the billing in question for me to pay the average useage for a period of time. Any average during the past 18 years.. (omitting the period in question.

Sincerely,

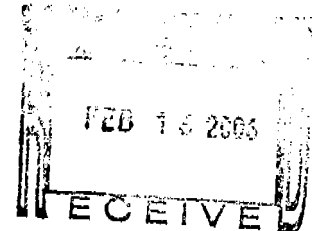


CC: Chad Campbell  
Consumer Affairs

Dolly Lewis -----(I never received the letter you told Chad you would write  
Carolina Water Service. after the meeting)

## SETTLEMENT AGREEMENT EXHIBIT "A"

BEFORE

THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2005-391-W/S

IN RE:

Joseph L. Godfrey

Complainant/Petitioner

v.

Carolina Water Service, Inc.

Defendant/Respondent

STIPULATION OF DISMISSAL  
WITH PREJUDICE

Joseph L. Godfrey, the Complainant/Petitioner above-named, and Carolina Water Service, Inc., the Defendant/Respondent above-named, and the South Carolina Office of Regulatory Staff ("ORS"), hereby stipulate to the dismissal of the foregoing matter with prejudice in accordance with S.C. Code Ann. §1-23-320(f)(2005).

It is further stipulated hereby that, insofar as the matters alleged in the complaint filed in the above-captioned docket, there is no act or thing that has been done or omitted to be done by the Defendant/Respondent for which a complaint lies under S.C. Code Ann. §58-9-270 (1976).

AND IT IS SO STIPULATED as of the 14<sup>th</sup> day of February, 2006, at Columbia, South

Carolina.

Joseph L. Godfrey

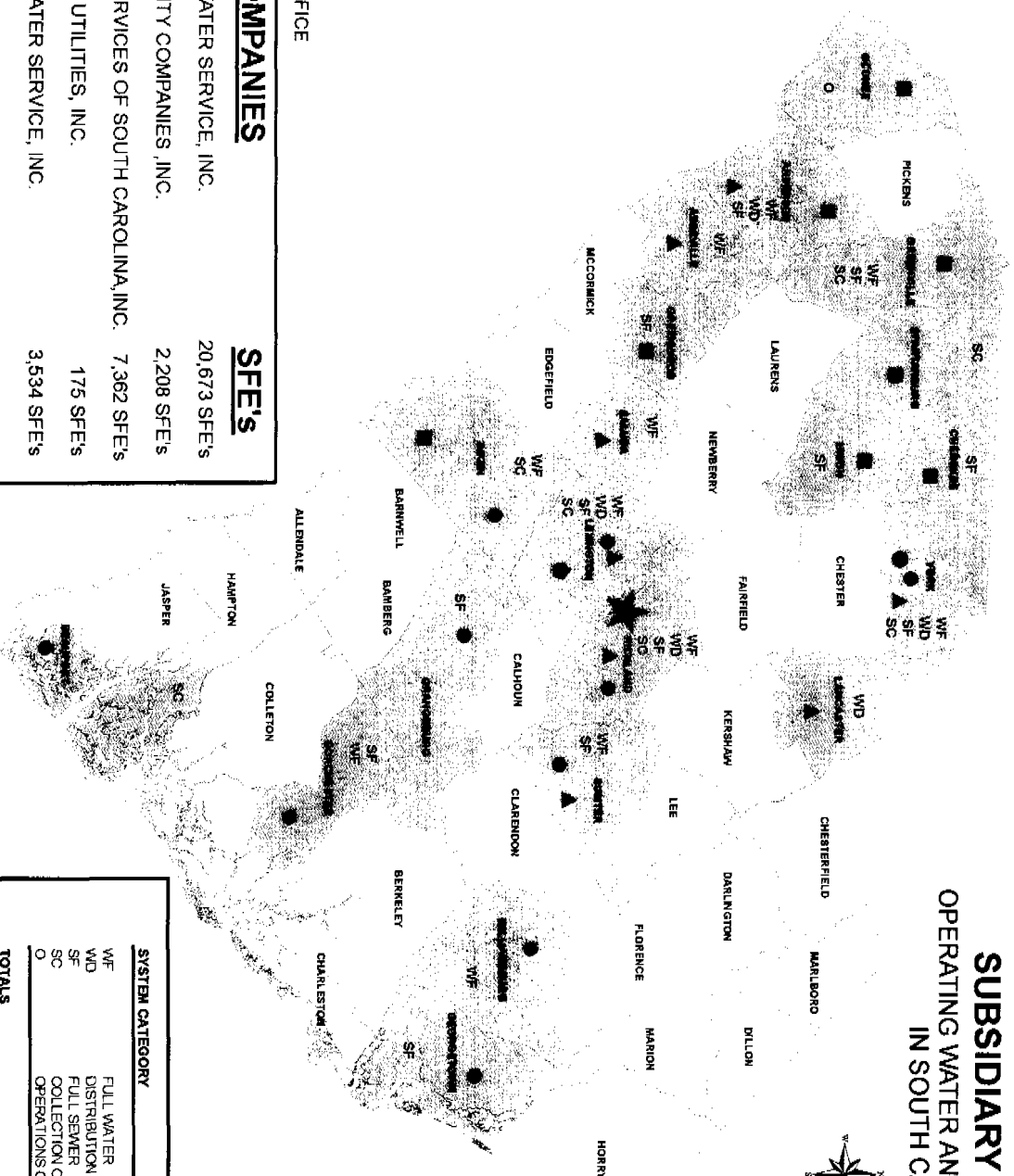
John M. S. Hofer, Esquire

Attorney for Carolina  
Water Service, Inc.

A handwritten signature in cursive script, appearing to read 'L. C. Hammonds', written in black ink.

Lessie C. Hammonds,  
Esquire  
Attorney for South Carolina  
Office of Regulatory Staff

# UTILITIES, INC. SUBSIDIARY COMPANIES OPERATING WATER AND SEWER SYSTEMS IN SOUTH CAROLINA



★  
REGIONAL OFFICE

## COMPANIES

- CAROLINA WATER SERVICE, INC. 20,673 SFE's
- UNITED UTILITY COMPANIES, INC. 2,208 SFE's
- ▲ UTILITIES SERVICES OF SOUTH CAROLINA, INC. 7,362 SFE's
- ◆ SOUTHLAND UTILITIES, INC. 175 SFE's
- TEGA CAY WATER SERVICE, INC. 3,534 SFE's

## SFE's

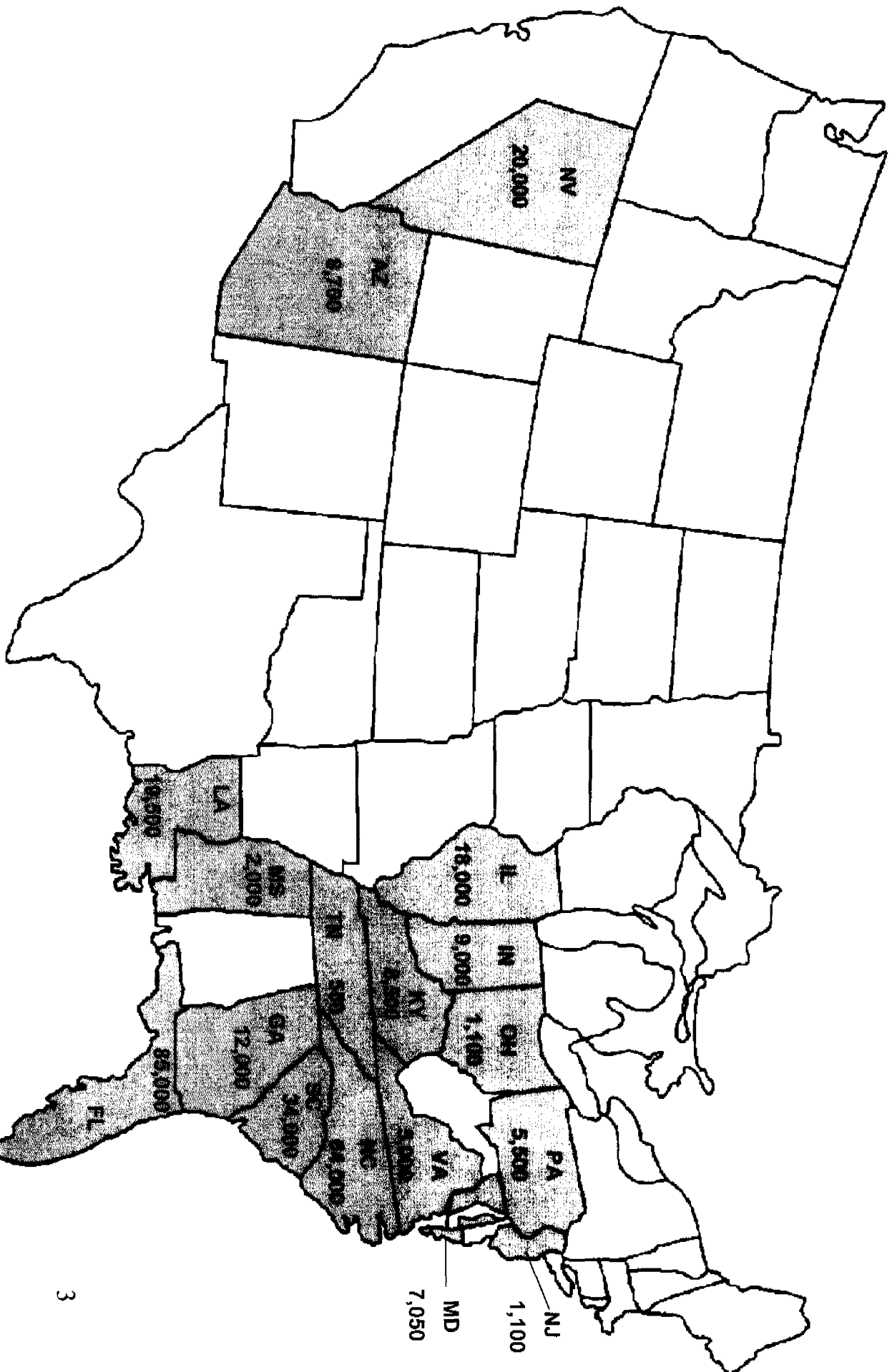
SYSTEM CATEGORY		SFE's
WF	FULL WATER	6,627
WD	DISTRIBUTION ONLY - WATER	10,161
SF	FULL SEWER	12,571
SC	COLLECTION ONLY - SEWER	4,582
O	OPERATIONS ONLY	11
TOTALS		33,952

# INCREASE IN CUSTOMER ACCOUNTS SINCE INCEPTION FOR ALL REGULATED SOUTH CAROLINA COMPANIES

	Approximate Customer Count	Percentage Increase
Customers at 12/31/72	2,150	
Customers at 12/31/80	13,200	514.00%
Customers at 12/31/90	21,800	65.00%
Customers at 12/31/00	22,600	4.00%
Customers at 12/31/05	34,000	37.00%

# Utilities, Inc.

## Approximate Customer Count by State



# TEN LARGEST PRIVATE UTILITY COMPANIES IN THE U.S. BASED ON NUMBER OF CUSTOMERS

(1)	American Water Works Company, Inc.	2,700,000	*
(2)	Agua America, Inc.	750,000	
(3)	United Water, Inc.	730,000	*
(4)	California Water Services Group	475,500	
(5)	Utilities, Inc.	301,000	
(6)	American States Water Company	264,570	
(7)	SJW Corp	220,000	
(8)	Aquarion Company	219,000	
(9)	Southwest Water Company	117,700	
(10)	Connecticut Water Service, Inc.	87,700	

\*Estimated based on published service area population and U.S. Census Bureau household population data

\*\*Sources include published information from Hoover's (D&B) website, S & P website, and Company websites

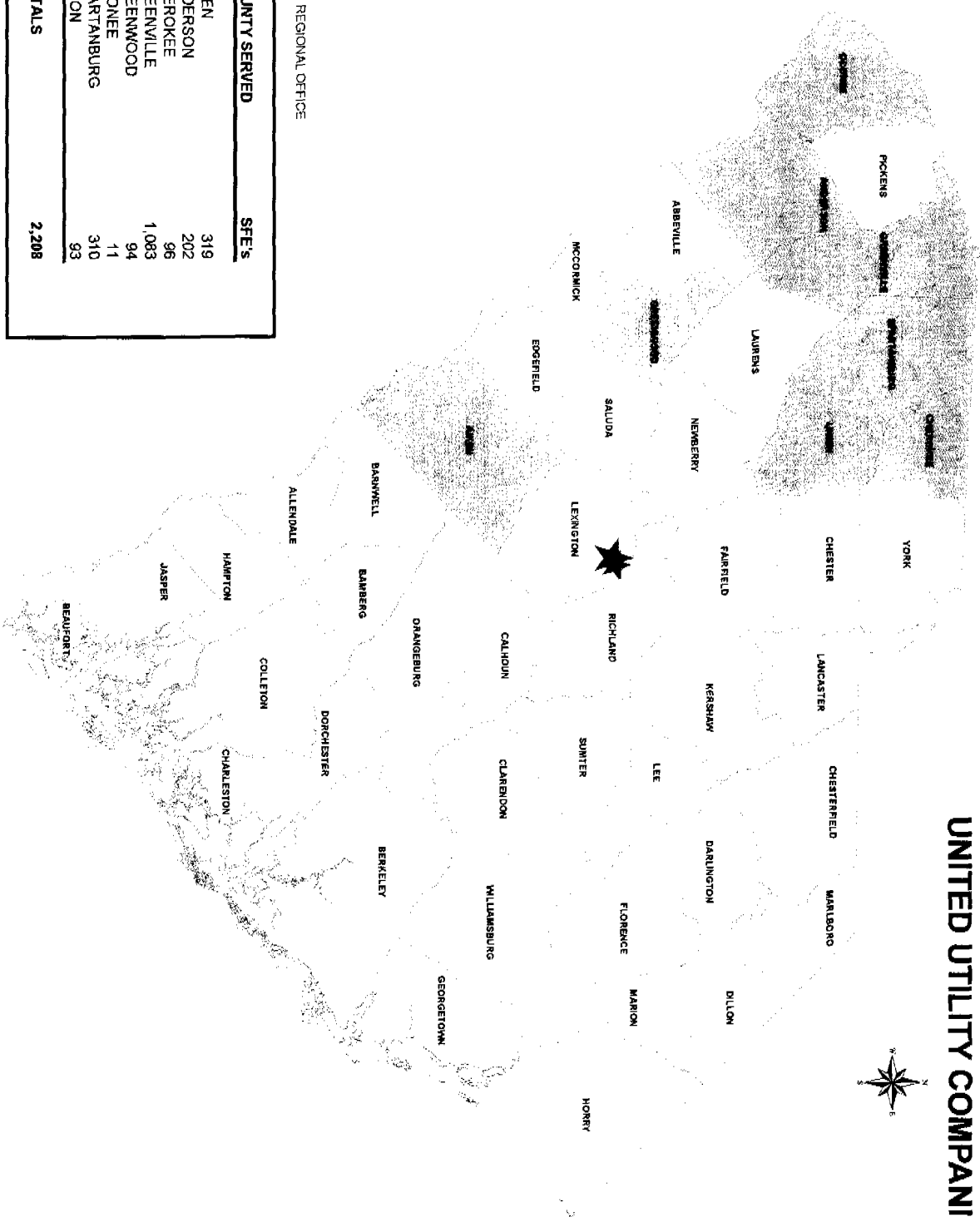
# **UTILITIES, INC. SOUTH CAROLINA SYSTEMS MAJOR ACQUISITIONS AND EXPANSIONS**

<u>DATE</u>	<u>EVENT</u>	<u>IMPACT</u>
1972	CWS is formed, acquires systems in Horry and Florence counties	Initial customer base of 2,150 established
1972-1980	By various expansions of service area and customer growth in existing area, significant additions to customer base are made	Facilities in place to serve customer base of 13,200 as of 12/31/80
1985	<b>UUC is formed, acquires the systems and service area of Suburban Utilities, Inc. in upstate SC</b>	<b>Facilities to serve 2,100 additional sewer customers and 100 additional water customers are acquired</b>
1986	Wild Dunes Utilities, Inc. acquired; systems serving Wild Dunes development on Isle of Palms	Facilities to serve additional 1,500 water and 1,500 sewer customers acquired
1990	Through service area expansions, regular growth in customer base, and 1985 acquisitions, CWS and UUC add more customers	Facilities in place to serve customer base of 22,000 as of 12/31/90
1991	TCWS is formed, acquires the systems and service area of Tega Cay Utilities, Inc.	Facilities to serve 1,400 additional water customers and 1,400 additional sewer customers are acquired
1993	Wild Dunes Utilities, Inc. dissolved; systems sold to the City of Isle of Palms	Customer base reduced by 3,000
2000	Service area expansions, growth and sale of Wild Dunes system result in increase in total customer base over ten year period of 4.0%	Facilities in place to serve customer base of 22,600 as of 12/31/00
2002	<b>USSC is formed, acquires parts of the systems and service area of S.C. Water &amp; Sewer, LLC and Utilities of S.C., Inc. in eight counties in SC;</b>	<b>Facilities to serve 6,900 water and 375 water customers acquired; these systems are in substantial disrepair and require refurbishment</b>
2005	Through service area expansions, customer growth, and acquisitions the operating systems in SC are third largest in the 17 UI states based on numbers of customers	Facilities in place to serve customer base of approximately 34,000 as of 12/31/05

\* All customer counts approximate



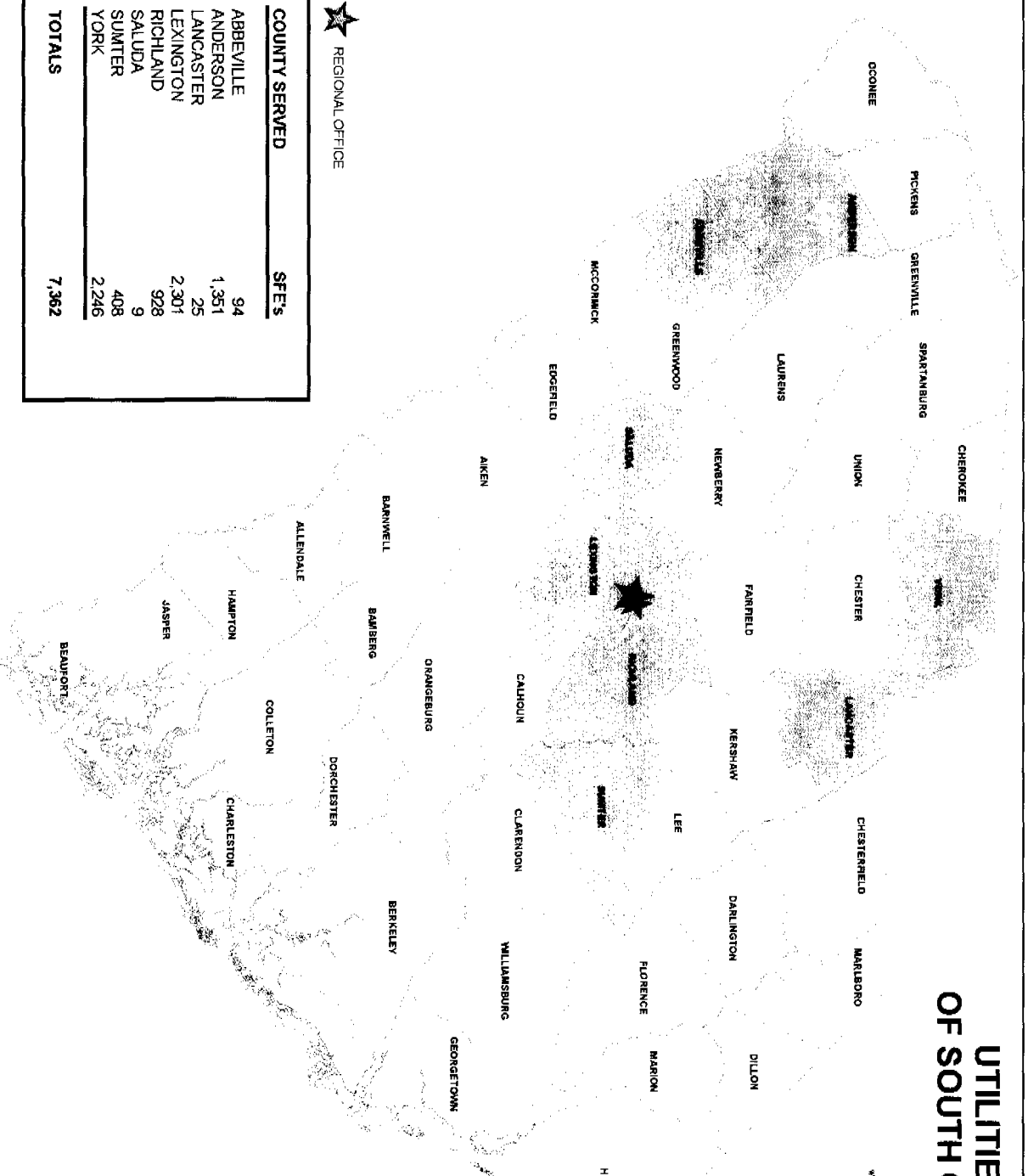
# UNITED UTILITY COMPANIES, INC.



★ REGIONAL OFFICE

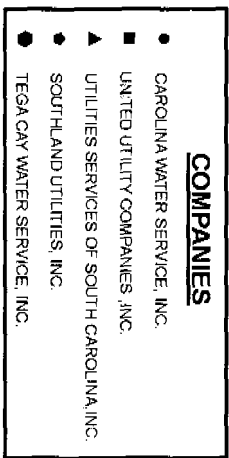
COUNTY SERVED	SFE's
AIKEN	319
ANDERSON	202
CHEROKEE	96
GREENVILLE	1,083
GREENWOOD	94
OCONEE	11
SPARTANBURG	310
UNION	93
<b>TOTALS</b>	<b>2,208</b>

# UTILITIES SERVICES OF SOUTH CAROLINA, INC.



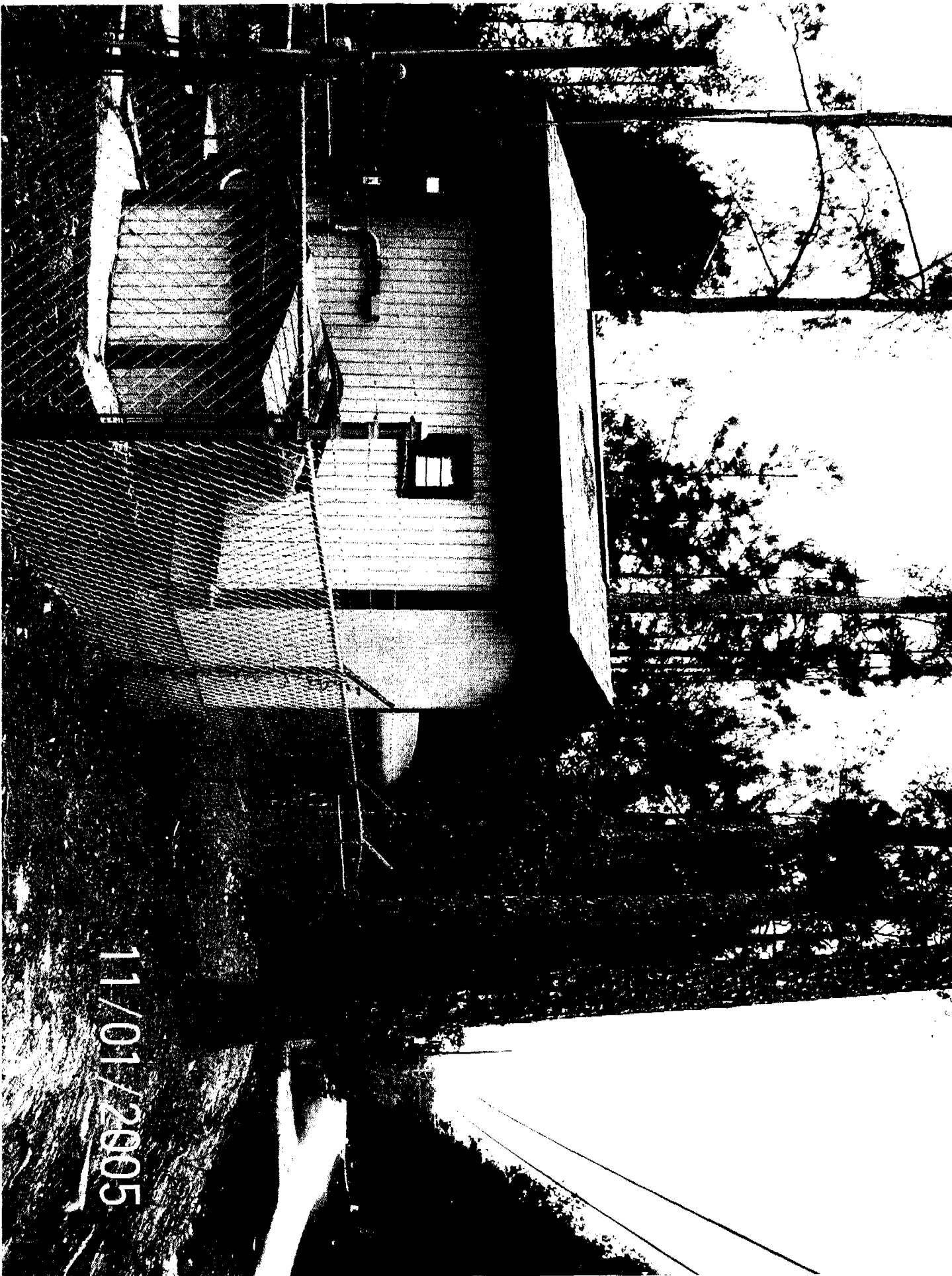
★ REGIONAL OFFICE

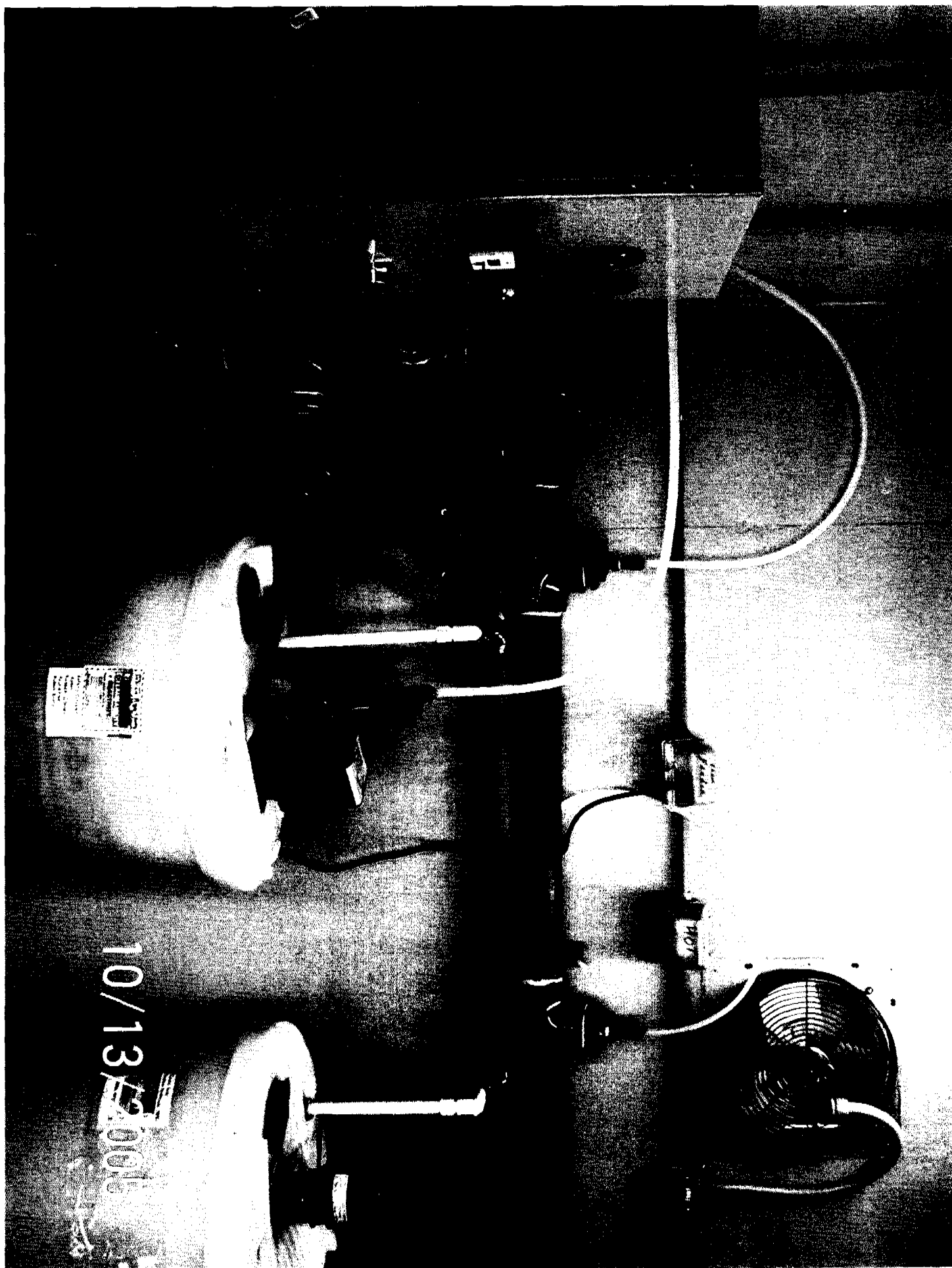
COUNTY SERVED	SFE's
ABBEVILLE	94
ANDERSON	1,351
LANCASTER	25
LEXINGTON	2,301
RICHLAND	928
SALUDA	9
SUMTER	408
YORK	2,246
<b>TOTALS</b>	<b>7,362</b>

[illegible]

SYSTEM CATEGORY	SFE's
WF	6,627
WD	10,161
SF	12,574
SC	4,582
0	11
TOTALS	33,952

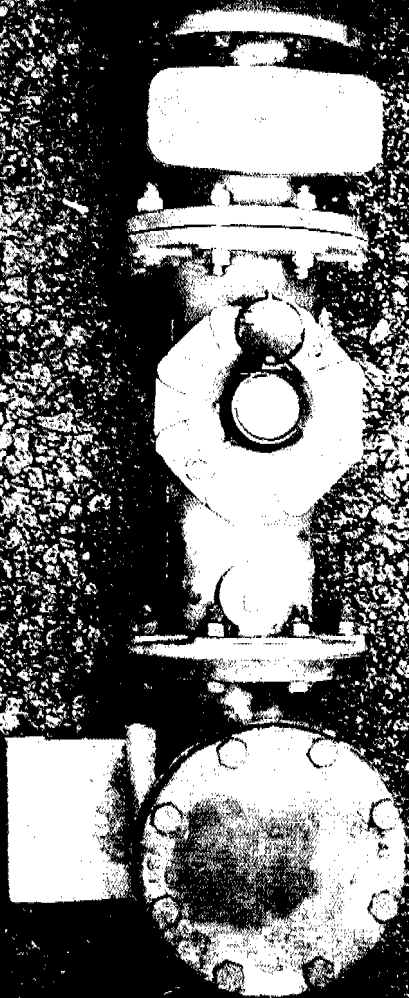
11/01/2005

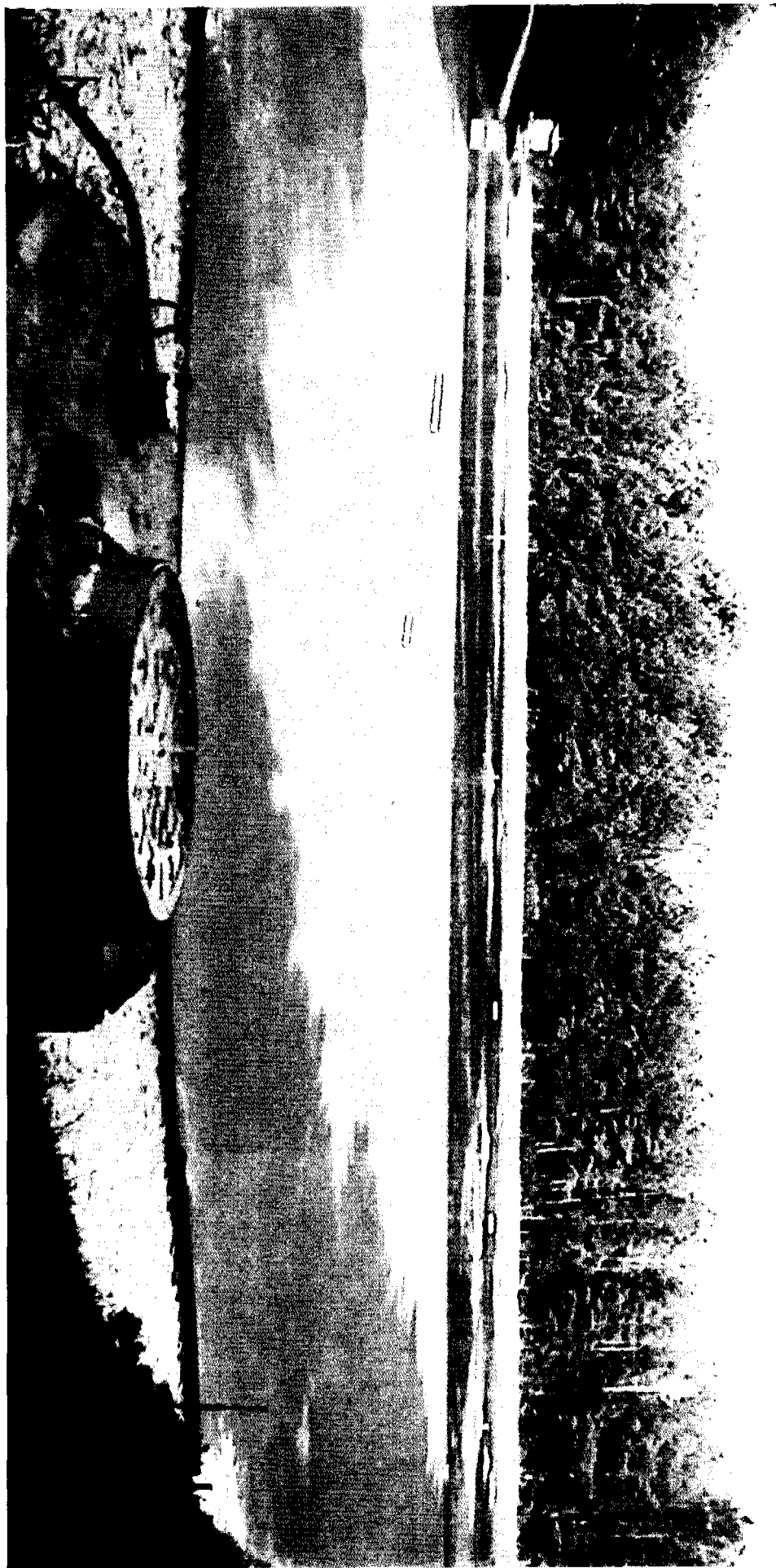




10/13/2005

02/22/2006





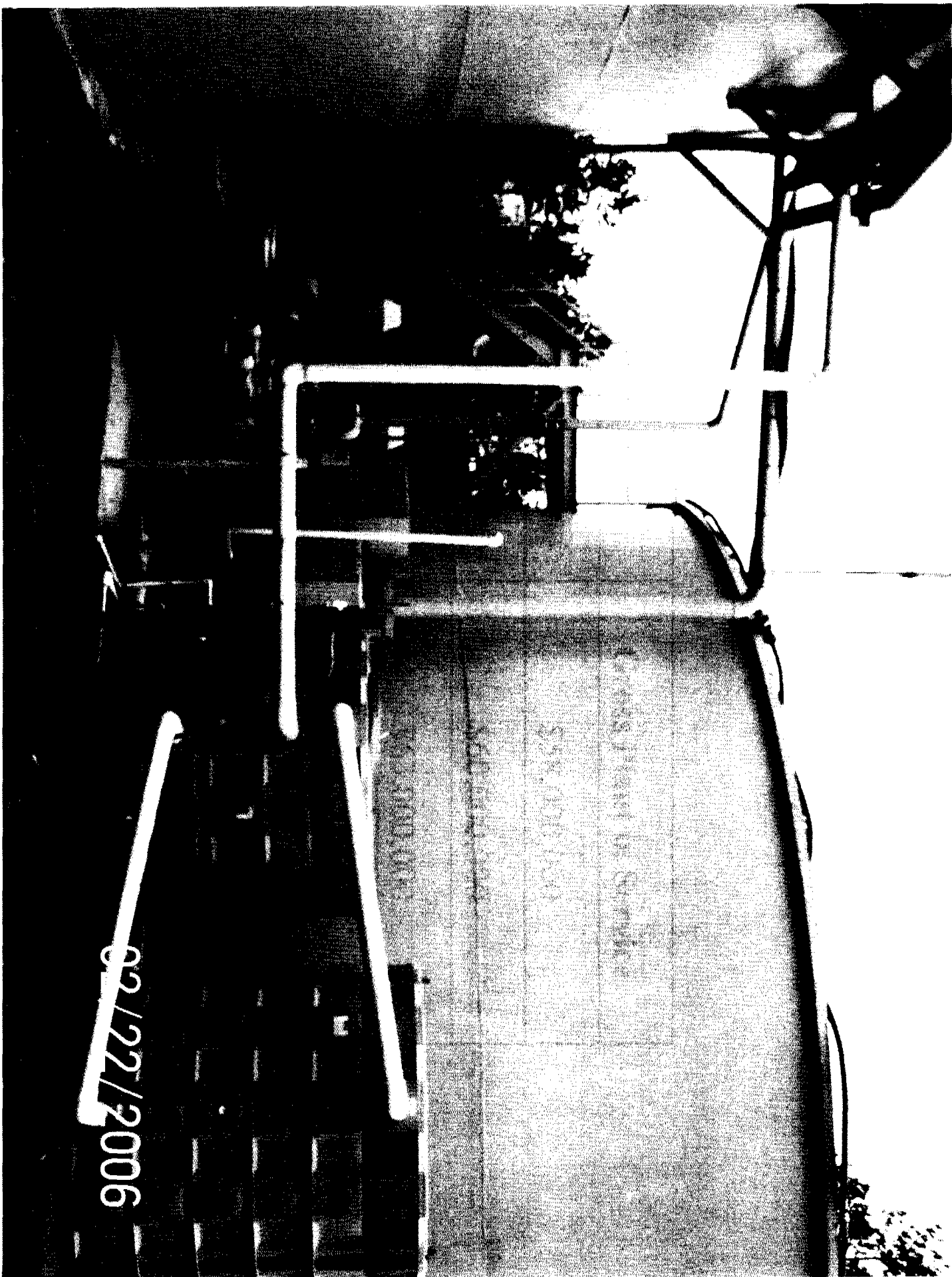


07



02/22/2006

02/22/2006



**Public Hearing**  
**April 18, 2004**  
**Dorchester County – Summerville, S. C.**  
**Docket #2004-357-W/S**  
**7:00 – 8:10 PM**

1. **Annette Young, House of Representative**  
Boys from CWS in Illinois here once again.... \$1.6M for lavish corporate headquarters in NB beside their local offices SC. Why higher rates. service.

**\*\* Not a resident of any of our subdivisions**

2. **Letter from Larry Hacgett**  
District 4 County Council, Dorchester County  
Manholes overflows  
Suspicious discharges in Ashley River  
Odors  
Increase 7 years ago

3. **Lynn B. Whitner**  
106 Beacon Hill Lane  
President of Kings Grant H/O Association  
In Kings Grant, 426 properties serviced  
Problems here and throughout the state and other states  
Response by our Attorney. We objected questions on Dollar fines, etc.  
She is owner of Construction Company. She knows maintenance on her equipment.  
Sewage in back yards, coming up in roads  
Odor at WWTP, playground next to WWTP, stench  
Facility has not been maintained  
Bad quality in Ashley River  
Go with Dorchester County, as we were suppose to originally  
She has been a resident in Kings Grant for 20 years.  
Ms. Clyburn (Commissioner) asked a question

**[REDACTED]** has been a customer since May 1995. We only show 1 service order dated June 1997. Clogged sewer. there were roots in her old 25-year-old pipes near the sewer tap. H/O replaced house lines and removed the roots.

4. **Harley Stokes**  
106 Foxcroft Ln  
He has a problem with the services he receives. \$28.86 increase to \$40.00. May be some increase but not that much.  
Captive customer - price is a little bit steep  
Question posed by Commission Wright. Resident for 25 years. How much would an increase is appropriate? 2.7 % increase  
\$5.00 per month increase

**\* [REDACTED] customer went on line October 1979. No service orders**

5. **Mr. Dick Kopfmüller**  
311 Farrington Dr  
He has been a resident for 18 years.  
Read a letter addressed to the PSC regarding the rate increase  
At least 4 increases  
1<sup>st</sup> increase from \$18.50 to \$25.00 in 1990 to cover upgrade of the WWTP per DHEC requirements  
1993- 1996, several up to \$28.85  
Understood that Dorchester County has offered to buy the WWTP or offer wholesale at rate of \$11.00 / 1000 gallons (?)  
Plant is poorly located, next to residences and frequently stinks up the neighborhood  
County can do this for \$29.00 per month
- \*\* [REDACTED]**, customer since January 1988. No service orders
6. **Orna. Hutchinson**  
107 Swan Dr  
Teal on the Ashley Subdivision  
He has only lived there since 2000  
He was led to believe that the County was going to take over water and sewer system  
Lack of care to customers. Can't understand how we're able to keep a hold on our service.  
On 1-occasion rat came out of her toilet  
Oxidation pond poorly or not maintained  
Question by Ms. Cyburn. Any service problems and where is Teal?  
Odors, No  
Pond, situated away from residences  
Question. water issues. Have to use humidifiers for her children. Only place where buildup is black.  
Drinks bottled water
- \*\* [REDACTED]** customer went on line July 2000. In August 2003, she called to report rats coming out of toilet. Larry inspected her property and also talked with the Health Dept. Source of rats gaining entrance to the inside of the house was not determined. Health Dept made suggestions to Ms. Hutchinson for control of her rat problem.
7. **Ms Georgia Fallaw**  
108 Lancer Dr  
Has been a resident for 10 years  
Initially there were no problems. For the last 3-5 years, more odors  
Starting last year, daily odors from WWTP, AM and PM  
Wants to hook up to Dorchester Cty  
December, person running the plant quit. (more money, etc)

**\*Ms. Georgia Fallaw continued...**

It takes about a week to get plant stabilized  
1999 or 2000, had to have sewer line replaced (mismatch in sewer pipes)  
Where has all our money gone?  
Person who maintains plant to retire in 6 months. Who will then run the plant?  
Now that the permit renewed, we're going in for rate case  
If she had a number for DHEC, would file a formal complaint every date.

[REDACTED] customer went on line May 1996. No service orders.

**8. Ms Sandra Salmon**

307 Runnymede

Resident for 30 years

Understood CWS operated outside DHEC standards

More yards are being dug up

Odor from processing plant has gotten worse

Dorchester County been under negotiations with CWS and we have not negotiated in good faith.

[REDACTED] customer went on line May 1977. There is only 1 service order, replace the tap. Resolution, we repaired the broken tap.

**9. Ms Ted Fry**

110 Swan Dr

(Teal on the Ashely)

resident for 12 years

No service upgrades to oxidation pond

Fence by oxidation pond, 3 - 4 feet high... kids in the area

It's a hazard in this neighborhood

Did some research

CWS protected by Federal Regulations

Well over 100 citations

Doug Tompkins came to H/O Assoc. meeting to explain negotiations over the years to no avail

County wishes to purchase (pond) declared a hazard

New homes nearby to be served by County

Another set of homes 180+ coming soon

We do know problems in other areas across the state

Safety fence needs to be installed, safety, etc.

[REDACTED] customer went on line in July 1982. We had 2 service orders about taste of water. One was in 1996 and the other one was in 1998. As per Larry, it was the chlorine in the water the customer was objecting to. She did not like the taste of it.

**10. Rachael Austrom**

104 Seven Oaks Ln

Kings Grant

Can't use amenities

\*Rachael Austrom continued

Can't get feet wet in the marina

[REDACTED] customer went on line July 2001. No service orders

11. **Donna Underwood**  
102 Kings Ct  
Been a resident for 32 years  
Little more personal impact. years ago, young son and friend went to the marina,  
they would get sick  
When they got wet in the water, they would get ill  
Stench is unimaginable  
Walk in area -- Shaftsbury -- the closer to Seven Oaks, worse it gets  
Has called DHEC before, no more, I know they are doing the best they can  
Her neighbors, sewer backing up in homes  
Several years ago, problem with her pipes (Orangeburg pipe)  
Managed to get CWS to pump when sewer backed up, not her sewage  
Question by M. Clyburn: Last 5 - 10 years, better to worse service ... worse  
Question by R. Mitchell: Pressure problems. No

[REDACTED] customer went on line May 1977. There was a note on the  
Note screen dated January 1999, sewer service line replaced. No service order on  
file. There was a service order in September 2002, clogged sewer. The manhole  
was 2/3 full. Roto Rooter cleaned the manhole.

12. **Lynn Whitner**  
Could the County speak to discuss the negotiations in the past with CWS?

\*\* She was customer #3

13. **Richard Dubose**  
207 Swan Dr  
Teal on the Ashley  
28 years to build house, took 3 months to get CWS to respond

[REDACTED] customer went on line in February 1978. There was a service  
order in November 1992 of clogged sewer. As per Larry, the main line was  
cleared 4 times by A1 Services. There was an excess amount of sand in the line.  
House was located on a dirt street. There was a service order in May 1996 of low  
water pressure. As per Larry, he was in the process of flushing the lines in system.

14. **Annette Young**  
Last comment..... Does anyone want rate increase? None

\*\* Member of the House of Representatives. She was speaker #1

Irmo

## Customer Night Hearing April 20, 2005

All Commissioners with the PSC were in attendance. There were approximately 9 people representing ORS. Other people in attendance were: Dukes Scott, Director of PSC, David Butler, Atty for PSC, Mayor John Givens? Of Irmo, House of Representative, Chip Huggins, Kathy \_\_\_\_\_, Councilwoman from Irmo, Mr Hansen, Irmo Town Administrator.

### Customers complaining:

1. Susan Norcutt

127 Fallsbury Rd

Her house was flooded with sewage 4 days after Christmas in December 1999. We said the problem came from Lizard Thicket. A child down the street from her address came down with hepatitis. Carolina Water Service did not care. She thinks the sewage back up caused a health problem not only on her street but it seemed there was a breakout of hepatitis at Lexington Elem School. They had to stay in a motel because of the backup. They lost many things in the house and their insurance company did not pay for everything. The smell coming from the WWTP is terrible. She does not believe we have done anything to correct the problem. There have been other sewer problems on their street. They have been in the house about 27 years. She does not know how many houses in Friarsgate have been flooded with sewer. \*\* She said CWS paid part of the damages only because they had a friend at PSC and we were made to pay. She said the sewage was 8" deep in the house. DHEC was contacted. They said everything was ok. They sprayed something on the ground.

\*\* The only service order for this customer was in February 1999.. sewer backing up in house. Roots at the tap. MPC repaired it. Her account # is [REDACTED]

2. Jeff Cohen

Not a customer in New Friarsgate at present time.

He has an interest in Friarsgate. He had a picture... supposedly a super pumper pumps out a manhole and then sends it to the neighbors (Did not see the picture). He wants to know if CWS has a contract on the sewer in Friarsgate or is it a life time thing. He has installed a back flow preventer at this former residence. He lived with his parents at 308 Chapelwhite. His parents lived there for 18 years.

\*\* He was a customer at 308 Chapelwhite from October 1, 2003 – August 31, 2004. We do not show any clogged sewer service orders for him. His old account # was [REDACTED]

**3. Morris Bays**

142 Rock Hampton

He has lived at this address for 21 years. About 17 years ago, there was a sewer back up coming from the manhole in his back yard overflowing. It also backed up into his house. CWS cleaned the manhole and left debris in the yard. He has a swimming pool in the yard and because of the sewer back up; he and his family could not enjoy the yard and pool. He said the sewer smell was terrible. He had to move out of his house for 5 days. No one helped him with the bill. He did not know that he had water with the City of Columbia. He thought that CWS furnished both water and sewer. He has only had 1 slight problem since this incident. He said no one from CWS called him with regards to his problem 17 years ago.

\*\* No service orders on this account. His account # is [REDACTED]

**4. Miriam Lovett**

7550 Irmo Drive

Not a customer of the company

She is very concerned about the WWTP. She wonders why we have so many trucks leaving the plant? She has talked with the Park Ranger at the Shoals and was told that the bubbles in the Saluda River at this location is because CWS is putting their effluent into the river. She wants to know why we can't close the WWTP and transport to the City of Columbia? She said we need to close the plant and let Columbia take over. She was asked if she had ever called DHEC to see if CWS is in compliance? No. She also complained about the sewer odor. She does not think that we have ever done any upgrades to the plant. She has only seen trucks leaving the plant.

**5. Barbara Ward**

400 Southampton

Stonegate subdivision

She is President of the Neighborhood Assoc. She has lived in Stonegate since 1996. We provide both water and sewer to the S/D. Poor quality of water. We have 3 wells but only 2 are operable. They have iron in the water and it is staining their fixtures. The water is highly chlorinated. There have been numerous water main breaks. Since 1986, there have been 4 breaks on her street. 2 - 3 homes in the S/D have had sewer back ups. There was one just recently. We did come out and took care of the problem. She and her husband have to buy bottled water. She has a petition signed by ? residents. We say there is a water softener at the wells but it is not working. We need to provide better quality water. DHEC has tested the water but have not responded with their findings. There are 124 homes in Stonegate.

\*We have a folder on Ms. Ward. She complained to ORS. Her account # is [REDACTED]



6. Paul Younginer  
7566 Greenbrier Rd

He is not a resident of New Friarsgate.

\*\*\* He is a member of the Town Council

He is not a customer of CWS. His family owns a parcel of land (16 acres) overlooking the WWTP. The other residents on Greenbrier are on wells and septic tanks. He does not believe that CWS is working to improve the environment. If we were we would not have a WWTP so close in proximity to its customers. He has seen Bio Tech trucks hauling sludge out of the plant. He complained about the sewer odor from the plant. He said the Attorney for Irmo wrote the company about the sewer problems. He mentioned our effluent does empty into the Saluda River. He does not believe CWS deserves an increase in sewer rates. He does not get a bill from CWS. He mentioned that Jake Moore; Atty for Irmo wrote a letter in February 2005 to CWS. There has not been any response from the company. He is a member of the Town Council. He said the Council members were very concerned. He said that in January 2005, there was a complaint issued to DHEC, about the odor coming from the WWTP. He does not believe the WWTP is operating at the level it was designed for.

7. Robert Simpkins  
814 Village Lane  
Village of Lake Murray

He is on the Board of Directors for the Village. A Condo project consisting of 84 condos. He does not feel the company deserves an increase in sewer rates. He said the Village of Lake Murray pays for all sewer maintenance to the sewer lines at the Village. He said they pay \$2547.72 per month which equals to \$30,572.64 a year and we don't do anything. The Village has spent over \$55,000 on maintenance. They had to have a new pump installed. They also have to clean the sewer lines in the project. We have had their system 22 - 25 years. We only take the sewage from Highway 6 and send it to the Friarsgate WWTP. He has called the Company and they will not call him back. He wants a copy of the contract.

\*\*No service orders on his account. His account # is [REDACTED]

8. Jake Moore  
Attorney for Irmo  
116 Nursery Ridge Lane

He is not a customer of CWS.

He is representing the Town of Irmo. There is a definite problem with the WWTP. With the amount of money spent by the residents of Friarsgate monthly, they do not feel they have received quality service. There is a strong odor from the plant. It smells bad on a regular basis. The problem has gotten worse. He cannot get a response from the Company. He said level of service does not warrant an increase. He said management with CWS is "high handed" and "arrogant". He said the Town of Irmo would issue citations because of the problem at the plant. He said he sent a letter to DHEC about the stint. He said this is the first time that

the Town of Irmo has stepped in about the odor problem. He does not believe there has been any improvements at the plant since he wrote his letter. He said he has had no response from the Company. He said something needs to be done with the pond. He has not received anything from DHEC on the odor problem. He said the plant has not been well run. The Commissioners requested a copy of his letter to the Company.

**9. Annette Hoover**

**331 Parlock Rd**

This is her residence, however she does have 4 other rental properties in Friarsgate. She has a rental unit at 113 Minehead Ct. We did not remove the elder valve plug and raw sewage backed up into the house. She called the office 3 times. Personnel in office were rude. She asked to speak with the Manager and was told "she's around here some place". She finally talked with the Manger and was advised that she would have someone come out. It took us from 12:00 Noon to 4:00 to come out to remove the plug. Sewer rate with the City of Columbia is \$18.73. Our rate is too high. When our sewer back up into the unit at 113 Minehead Ct, it blew up a toilet and she had to have it replaced. She said the creek behind her house stinks.

**\*\* Her account # for 331 Parlock Rd is [REDACTED]. The account # for her rental property at 113 Minehead Ct is [REDACTED].**

**10. T. Kibler**

**433 Smallwoods Dr**

She has lived at this address since Many 2002. In the past 6 months her total bill for water and sewer is \$747.59. There are only 2 people in the house. She mainly complained about our rates. She called us several times for us to check her meter. She has not had any response from the Company. She has no leaks. She has to buy bottled water. Her husband said the water taste terrible. She has a minor smell in the kitchen and has poured Clorox in the sink. She has seen a boil water notice when we have done maintenance on the lines. She has not had any sewer back up. She reported water on the street some months ago. We reported that it is not our problem. She said the water is still there. She said she has called 3 times for us to check her meter, in Oct 2004, Nov 2004 and March 2005. She pays \$30.33 per month or sewer.

**\*\* Service order dated March 7, 2005 about high bill. Operator read the meter, it is progressing forward in the way it was designed. He detected a small leak and left a door tag for customer.**

**\*\*Service order dated May 29, 2003 about water in the street at the gutter. Operator responded and stated that it appears to be ground water. He talked with customer at that time.**

**Her account # is [REDACTED]**

**11. Gail White**

**205 Trinity Three**

She has been a residence since 1993. Our sewer fee is too high. She has friends in the Summitt who only pay \$29.00 and some change. We charge \$30.300. She said the personnel in office were rude. She is upset because we do not provide the basic service of marking sewer lines in her yard. When she began service with the Company, she paid her deposit and began getting bills from the Company. She had a notice on her door one day that stated that if she did not call the company, her service would be cut off. She said she called the office and was told they would check on it.

**\*\*Her account # is [REDACTED]** She called on April 15 and wanted sewer lines located. She said that PUPS will not located. She was advised that we will mark where the sewer tap is located, however, we do not own the sewer service line in her yard and she will have to have that located herself. She was not happy with this. We do not go onto a customer's property and mark sewer or water service lines.

**12. Mary Vanbrunt**

**10 Bakewell Ct**

She has been a resident for 5 years. Moved here from Mass. She does not like the sewer smell in the area. She cannot raise her windows and cannot use her deck at night because of the smell. She has called the office to report this and we do try to take care of the odor problem. She had a sewer back up and when the contractor took the cover off the manhole, it was solid with roots. Why don't we check the manholes and sewer mains and get rid of the roots? There are many trees in the S/D. She also complained about the drainage ditch behind her house. She said she knows this does not belong to the company but since she was here, she wanted to voice her complaint. Nothing has been done by the County to cut the trees and bushes and to clear the area. There are lots of mosquitoes and a bad odor coming from the stagnant water in the ditch.

**\*\* Her account # is [REDACTED]** She called on March 4, 2002 to report sewer backing up in house when you flush the toilet. There was a grease blockage. MPC pressure washed her line clearing the blockage. She called on May 10, 2001 to report a bad sewer odor in the air. She said she notices it at night and not during the day time. Larry Bodie visited her location and could not detect any odor in the air. She is 1/2 mile from WWTP. He told her he would monitor the situation.

# River Hills Area

## Customer Night Hearing April 26, 2005

In attendance were all the Commissioners of the Public Service Commission (Fleming, Clyburn, Hamilton, Howard, Wright, Moseley and Mitchell). There were 4 people from ORS which included their attorney.

Ralph Norman, House of Representative from the district representing River Hills. There is an 11-member delegation and they are all opposed to the increase.

Paul Hersey, representing the River Hills Community Association (RHCA).  
He has filed a challenge opposing the rate increase.  
He will be at the meeting on May 4<sup>th</sup>

John Hoefer, CWS' attorney. He has filed a motion to address the testimony tonight that he is opposing what is being said. This motion has been filed so that he does not have to jump up and down after every testimony opposing what is being said. He said the PSC was aware of his motion.

**1. Richard Krewson**

16 Catawba Ridge

Has been a resident in River Hills for 23 years.

In the billing period of 3/3 – 4/1, he and his wife went to Italy on March 11<sup>th</sup> and were gone until March 31<sup>st</sup>. For 8 days of service, he was billed \$45.97 for water / sewer.

His bill last month was for \$61.54.

Commissioner Clyburn: Have you had any other problems? Mr. Krewson, he has no problem with the company other than the rates.

**\*\* Account #** [REDACTED]

Only 1 service order on the account and it was dated August 2002 with reference to a leak.

With reference to customer's bill for only 8 days of service. We only billed him for 1730 gallons of water, however with all the different rates; his bill was \$45.97. I have attached a copy of his consumption history and invoice.

**2. Ken Bozeman**

16 Cove Road

He is the part owner of Plantation Shopping Center. His water / sewer bills are higher than his taxes.

He has a Japanese Restaurant that is being billed \$19.38 times 14 SFE's. Marcy in the Office does not give any answers. She does not know how it was determined the number of SFE's.

The Company discovered that he was being billed for a 3/4" meter and it should have been a 1" meter. They corrected that problem real fast but cannot answer the questions about SFE's. The Customer Service Repr is terrible. She said the public is not allowed to meet with management.

Commissioner Clyburn: Do you have any water pressure problems or any other problems? He answered no.

His problem with the Company is that we cannot answer his questions about SFE's.

He said there are 2 other restaurants in the shopping center and they are only billed for 1 SFE per restaurant.

Shopping center was built in the early 1980's.

He just bought the shopping center last summer and began dealing with CWS in August 2004.

Commissioner Howard: How many units in the shopping center? He answered 20 units. They are mainly offices with 1 bathroom each.

\*\*\*His account number is 00460-000127-1  
See information attached pertaining to SFE's

**3. Jim Arthur**  
2 Intrepid Dr

He is opposed to the cost of water and sewer

He has been a resident of River Hills for 22 years.

Service is as good as expected.

He has never found anyone who pays as much as he does for water / sewer.

He has checked with Charlotte Mechlenburg. Their rates are lower.

He has 2 people in household. He has no grass, therefore does not water. He never washes his cars.

He asked the question. If he said he approved the company getting an increase, would the CWS' attorney oppose his statement?

\*\*His account number is [REDACTED]  
See attached service order #897811

**4. Dennis Collier**  
66 Honeysuckle Woods  
Has been a resident for 12 years

Our rates are extreme

He has talked with friends in Indiana; they pay \$25.00 a month for water and sewer. He talked with a friend in Michigan and they pay \$50.00 every 3 months for water. Our rates are too high. His friends are amazed at the rates CWS charges.

He has an irrigation meter. He stops using it in November and begins again in April. Even during those months with no consumption, he has to pay a \$10.00 base facility fee each month.

He has watched the meter reader. He reads both meters and it only takes him about 30 seconds.

\$10.00 a month increase, company does not warrant an increase.

**\*\*His account number is [REDACTED] for irrigation and [REDACTED] for residence. The only quality service order was dated November 4, 2004 for discolored water, attached service order #871560**

**5. Mike Miller (Elena)**

1530 Bayberry Road

Rates are too high

He has family in New Jersey, with a pool and they water their lawn. Their bill is 1/3 of his in River Hills.

He found a cup in his mailbox where we wanted a sample of his water. He pulled the sample and was told by the company that his water was high in iron and had silt in it.

Water quality is not good. He has to change his filters in the refrigerator every 3 months.

Commissioner Wright: How long have you lived in River Hills? 3 years in S/D  
Mr. Miller said he found a flyer in his mailbox and the company wanted to take a 2<sup>nd</sup> sample. He talked with them over the phone.

Commissioner Wright: When did all this take place? Last summer.

John Hoefler, CWS Attorney: Was the name of the company Carolina Water Testing, could that be the name of the company? Mr. Miller said he was not sure. He would look to see if he had any of the information at his house. He really did not remember the company name other than Carolina Water.

**\*\*His account number is [REDACTED] The only service order is to set up an account dated December 2002.**

**6. John Seagarill, passed**

**7. Linda Soll**

10 Mischief

Since 1973, has lived in 2 different locations.

She protests the increase in water/ sewer rates.

She lived in a condo for about 8 years then she built a house. She stayed with her Mother who has now passed away.

Our rates have doubled since they moved here 30 years ago.

She took a trip out West and was gone 7 weeks. She did not notice any difference in her water bills.

There are 2 people in home. They are very conservative. No grass, do not wash cars, do not flush every time, the other person does not shower every day.

She pays \$66.00 per month

There was an article in the papers about River Point connecting to Charlotte Mechlenburg. Why can't they be connected to Charlotte Mechlenburg? She has low water pressure. She cannot run the washing machine and flush the toilets at the same time.

Commissioner Fleming: Would it be possible for us to get a copy of your water bills during the time you were gone out West? Ms Saul said she would look for it.

Commissioner Wright: With regards to low water pressure, did you call the office with your complaint? Ms Saul said she never called the office.

Her house sits below the street level. She has to pump her sewage up to the lift station.

She does not talk with her neighbors. She really does not know if anyone else around her has the same problem she does.

**\*\*Her account number is [REDACTED]**  
See attached service orders #627886, 736881

**8. Andy Cane**

Executive Director of Camp Thunderbird, a YMCA camp  
1 Thunderbird Lane

He has been a resident for 219 years.

The YMCA camp was established in 1936. They own 100 acres. There are 53 buildings, all do not have running water or electricity. Many are in the primitive area.

This is a day camp with some residents. In the summer, they have around 400 people maximum.

They own all the water lines in the camp. They had to replace all the water lines. They did not call the Company for them to check to see if there were any leaks, they just replaced the water lines.

There are 2 water meters. One at the Dining Hall and 1 to serve the other buildings.

There are 2 lift stations. One they own and the other one is owned by CWS. They had problems with the lift station that they own, they called CWS who made the repair but charged them with the repair. It was over \$20,000. CWS had to replace the pump.

The grease trap they maintain.

He cannot compare the camp bills with other camps.

In 2004, they paid \$67,410. For water

In 2003, they paid \$71,149. For water

Camp Harris in Charlotte, another YMCA camp, paid \$45,000.00 less than Camp Thunderbird for water service.

He does not want an increase.

Commissioner Clyburn: How many months in service? The camp is in service March through December. December, January and February, they have an after school program with about 80 people. The Harris YMCA camp is in service 365 days.

**9. Jay Moore**

23 Turtle Lane

Been a resident for 17 years.

He objects to the sewer charge based on water consumption. He has had leaks in his house. He wonders why he has to pay for the water that went into the ground and not into the sewer system? The Company notified him about the leak with a door tag, however he was gone. The door tag was found later in the buses. If the company can leave a door tag, why can't they call the customer?

He was told that the company does not give leak adjustments. He went through the River Hills Community Assoc. office. He called the CWS office and it was very painful dealings with the personnel. He even went to Chicago and was told no leak adjustment.

\*The Commissioners have requested a copy of the letter he received from the company.

\*\*His account number is [REDACTED] See attached copies of notes and letters referencing his leak.

**10. Bill Morgan**

11 Woodvine Lane

He appreciates the Commissioners for coming out tonight.

The rates charged by CWS have doubled.

This is a gross injustice to all residents. Why are the water prices so high when they live by a body of water?

Water quality is not good. In March, the water was the color of Lake Wylie.

He cannot get an answer from the office.

His wife will not drink the water. She drinks bottle water. He drinks it because if he has to pay for it, he will drink it.

The water leaves spots on his cars.

He said in the River Hills S/D, the residents do not have many lawns. They do not water the grass.

There are 2 people in his household and the bill is over \$100.00 a month.

He has no leaks.

He does not water the grass.

The rates charged by the company have kept the property values down. The rates have kept a new restaurant from opening in the area.

The school pulled out and connected on the backside of their property with another Water Company.

We put in the lines (infrastructure) and then CWS takes over the lines.

The area is growing. Charlotte is coming their way at a very fast pace.

He has a problem with York County as well as CW

Duke Power, 21% below the national average

In Florida, 35% above the national average.

He begged the PSC to do a service to the residents by reducing the rates.

He said we need a rate reduction.

Applause...



**\*\*His account number is [REDACTED]**  
No service orders on the account

- 10: Jay Moore returned to the mike. He said an employee with the company (and he pointed towards Dick Hinson), told him that we would give an adjustment. He said if the company would not, he needed to go to the PSC.
11. Carl Beckham, passed
13. **Perry Johnson**  
5001 Lake Mist Dr  
Has been on the York County District Commission  
He said we need to attract millions in dollars and we cannot because of the rates being charged to the residents.  
He talked about our water service area. There are other water lines near our lines but we will not run the lines to them. If a customer wants to connect, they have to run the lines to us and then we take over. Clover is across the street, we will not let any customers connect with Clover, and they have to come to us.  
John Hoefer, Atty for CWS: Is it not true that York County raised its bulk water rates twice in the last 4 years? Al Green, York County Administrator answered by saying no. In 1995, 1996 and 1997, there was a 3% increase. They had another one in 2002 for 5%.  
Commissioner Wright: Has the County ever approached CWS about taking over or buying the Company? Mr. Green, they did but York County does not have the capital.  
Commissioner Wright: As the County ever thought about condemning the property and taking over that way? Mr. Green answered yes.
- \*\*Cannot locate an account for him.**
14. Tara Hunter passed until the May 4<sup>th</sup> meeting
15. Tom Kelly, not present
16. **Don Long**  
14 Sunrise Point Dr  
Has been a resident for 14 years.  
There is no standard no how poor or how well the company is run.  
CWS is very inefficient in running a company.  
I did not understand all that he was saying.. dl  
Commissioner Clyburn: Ask the question if he had a relative teaching at USC?  
He said no.

**\*\*His account number is [REDACTED]**

We have no quality service orders.

- 17. Rev Ernest Cogsdale**  
**5756 (5766) Charlotte Hwy**  
**Lake Wyle Christian Assembly Church**

He grew up in River Hills.

He said a company is known for what it does. CWS is known for its high rates. It took him 7 years to get numbers from the company on how to connect to the system. There were 3 people ahead of him that also tried to connect to our system.

Company is very difficult to work with.

CWS is the only utility company to tell him no when he asked if Lake Wily Christ. Church could pay a person's bill.

They have had low water pressure at the church.

Quality problems at the church

CWS did not respond to the problem they had of no water. It took them several days to give them an answer of what the problem was.

They had a leak at the church. No one informed the church they had a leak.

No adjustments were given.

It takes too long for CWS to respond to quality problems.

CWS will never admit that the problem was theirs.

**\*\*His account number is [REDACTED]**

This is an account for water only. Not sure where the sewage goes, possibly a septic tank...dl

Look at attached service order #825755

- 18. John Olson**  
**12 Wood Hollow Rd**  
**He has lived there since 1977**

The residents have come year after year to a meeting protesting increases from CWS. The PSC always grants the increase. The regulators (Commissioners) are always on the company's side and never on the residents.

The residents are willing to do anything they can to change the regulations and the regulators.

He begged the Commissioners to seriously look at the situation and to lower the rates.

He said we need proof on the table where the company is spending the money.

If the proof had been given in the past, the PSC would not have approved past increases.

**\*\*His account number is [REDACTED]**

No quality service orders.

- 19. Ben Rawls, will be at the may 4<sup>th</sup> meeting**

20. **Shauna Burris**  
4906 Summerside Dr  
Moved here from Florida on May 3, 2004  
She lives in Autumn Cove  
She cannot afford the water.  
She is paying \$100.00 to \$150.00 per month  
She has an irrigation meter. She does not like the idea of paying \$10.00 for a basic facility fee when she has the irrigation meter turned off.  
She only paid \$25.00 to \$35.00 per month for water in Charlotte.  
The Giving Tree Day Care Center will raise their rates by \$20.00 per week to cover the cost of water service. She will have to pay \$160.00 per week for day care.  
She was told by personnel in the Office not to run water while showering, brushing her teeth or shampooing her hair. How can she do the above without using water? She was told to be very conservative.

**\*\*Her account number is [REDACTED] for irrigation and [REDACTED] for the residence.**

**No service orders on the account**

20. **Jonathan Wright**  
2678 Landing Point Dr  
Moved in July 2004  
His first bill from the company was \$545.00. He called the company. We told him there was nothing wrong with the meter. He would have to pay the bill. He turned off the irrigation meter and his bill did drop.  
The cost for the water is 3 times the amount of water service in Virginia.  
The Commission in Virginia looked at the company supplying water to Lake Caroline and even though the company only requested an increase from \$21.99 to \$30.00, the increase was denied.  
He begged the PSC to look at the company's books.  
Commissioner Clyburn: What is your current bill? He said \$140.00 to \$150.00 per month. There are 4 people in household.

**\*\*His account number is [REDACTED]**  
**See attachments**

21. **Ken Mills**  
1823 Montague  
Autumn Cove  
He moved here from Arizona.  
They had an impact fee where he lived. They paid \$80.00 per month until the infrastructure was paid for and then it was reduced.  
He thinks the company should charge an infrastructure to all residents. That way there would be an accounting for what is being spent and where.

**\*\*His account number is [REDACTED]**  
No service orders on the account.

**22. Les Young**

6 Turtle Lane

lived there 17 years

There are 2 people in home; he travels most of the month. He is an auditor. He audits credit unions. /

Out of one month, he was gone 3 weeks and his wife as gone 3 weeks. The bill was \$96.00. the next month, it dropped only \$4.00.

Four (4) years ago, his bill was \$160.00 for 3 months. He did not believe his water meter had been read so he buried the water meter.

The water does not taste good

He does have good water pressure.

Has the company ever been audited?

Who owns the company?

Are they in the country?

**\*\* His account number is [REDACTED]**

The last service order on this account was dated September 8, 2000. There was a leak at the meter on our side and the meter was changed out.

**Rev Cogsdale again...**

Impact fees

The people put in the lines and then the company takes over. That is not right.

**Mr. Morgan again...**

The company should be required to open up their books. There should be a full audit or don't give them anything.

**23. Henry Kisielewicz**

2650 Landing Point Dr

He opposes the increase

He moved in January 2005

He paid \$56.03 for 2880 gallons

He paid \$24.59 for 2992 gallons

From 1/16 to 2/1, sewage was backing up in his front yard. The company continued to bill him for sewer. He called a plumbing company who told him the contractor who built his house did not connect the sewer lines

**\*\*His account number is [REDACTED]**

The only service order was to set up an account on January 13, 2005.

**Jay Moore back again ...**

The place is not packed tonight as it has been in the past. The residents are saying, why should I go and voice my opinion when the company will still get an increase?

**24. Amy and John Burton**

10 Thornwood Ct

Moved in August 2004

They were renting a home in Raleigh and only paid \$90.00 every 2 months.

When they called CWS, office personnel told them what the rates were and they would have to pay them. There was nothing that could be done about the rates.

Hard water spots. It has made stains on fixtures. Cannot be cleaned

They live in Millcreek Falls.

There is silt in the water.

Can anything be done on a Federal level to check this company?

\*Their account number is [REDACTED]

The only service order was to set up an account on September 3, 2004.

Meeting was adjourned at 9:30 pm

SERVICE ORDER INQUIRY

Notes

ORDER# TYPE TYPE DESCRIPTION OPERATOR ENTRY DT ENTRY TH DUE DATE RES DATE  
-----  
897811 01 HIGH BILL MARCHYH 02/14/05 14:57 02/14/05 02/15/05

INSTRUCTIONS

3:54 PM, JAMES ARTHUR CALLED RE CURRENT BILL, SAID THAT THIS IS TOO HIGH  
...PLEASE READ MTR, CK FOR LEAKS, SPEAK TO CUSTOMER IF HE IS AT HOME,  
LEAVE DOOR TAG W/ FINDINGS IF CUSTOMER NOT AT HOME. THX MARCY

RESOLUTION

PER STEVE W ON 02/15/05, MTR RD - 1552480 (IN LINE W/ 01/31/05 RD OF  
1550310; CONS = 7250 GALS). MTR# 28585964, NO SIGN OF LEAK, DOOR WAS  
TAGGED. USAGE BETW 01/31/05 - 02/15/05 = 2170 GALS, DAILY USAGE =  
144.67...THIS IS IN LINE WITH HIS PRIOR USAGE.  
MH 02/22/05

ENTER SERVICE ORDER NUMBER OR <CR>.

SERVICE ORDER INQUIRY

[REDACTED] - 66 HONEYSUCKLE WOODS /

Notes

ORDER# TYPE TYPE DESCRIPTION OPERATOR ENTRY DT ENTRY TM DUE DATE RES DATE

071560 29 DISCOLORED WATER MARCY 11/11/04 13:49 11/11/04 11/11/04

INSTRUCTIONS

KAY COLLIER CALLED & LEFT MSG ON MY V/M AT 12:47 RE BROWN WATER COMING  
OUT OF SHOWER & HER ICE IS BROWN... I NEXTELLED STEVE W AT 2:47 & HE WILL  
CK THIS OUT & LEAVE DOOR TAG WITH FINDINGS FOR CUSTOMER. HE BELIEVES  
THIS MAY BE CUSTOMER'S PROBLEM. THX MARCY

RESOLUTION

AS PER STEVE WHITT, EXPLAINED TO CUSTOMER THAT STAINS MAY BE FROM FLORID  
WHICH ROCK HILL TREATS THE WATER WITH. THIS IS AS PER DAVID HUGHES WITH  
YOUR COUNTY...DL

ENTER SERVICE ORDER NUMBER OR <CR>.

SERVICE ORDER INQUIRY

- 10 MISCHIEF /

Notes

ORDER#	TYPE	DESCRIPTION	OPERATOR	ENTRY DT	ENTRY TM	DUE DATE	RES DATE
627886	01	HIGH BILL	DONNA	07/03/02	09:32	07/03/02	07/08/02

INSTRUCTIONS

PLS RE-READ METER, PLS NOTICE BIG JUMP IN CONSUMPTION. CUSTOMER VERY CONCERNED. PLS BESURE AND TAG THE DOOR WITH FINDINGS.

TKS DONNA

RESOLUTION

7/8/02--R-1536550--TAGGED DOOR--S.WHITT

ENTER SERVICE ORDER NUMBER OR <CR>.



SERVICE ORDER INQUIRY

- 10 MISCHIEF /

Notes

ORDER#	TYPE	DESCRIPTION	OPERATOR	ENTRY DT	ENTRY TM	DUE DATE	RES DATE
736881	01	HIGH BILL	DONNA	08/13/03	15:48	08/13/03	08/18/03

INSTRUCTIONS

CUST. CONCERNED WITH BILL STEADILY GOING UP - PLS INVESTIGATE ANY POSSIBLE LEAKS OR PROBLEMS. PLEASE BE SURE AND TAG THE DOOR AND THE CUST. WOULD LIKE THE METER READING ON THE TAG ALSO.

TKS DONNA

RESOLUTION

08/18/03 CHECKED METER AND FOUND IT MOVING AT A RATE OF ABOUT 1/10 GAL PER MIN. LEAK ON CUSTOMER SIDE. \*C048807,, READ:1394690 LEFT DOOR TAG. DH

ENTER SERVICE ORDER NUMBER OR <CR>.

SERVICE ORDER INQUIRY [REDACTED] - 5766 CHARLOTTE HWY STNK/ DOMNK/ DOM

Notes

ORDER# TYPE TYPE DESCRIPTION OPERATOR ENTRY DT ENTRY TM DUE DATE RES DATE

825755 21 HIGH/LOW CONSUMPTION DONNA 06/21/04 09:10 06/21/04 06/24/04

INSTRUCTIONS

ERNEST COGSDALE 803-831-7036 CALLED INDICATING YESTERDAY DURING MORNING SERVICE THEY LOST ALL WATER PRESSURE. (BUT HE HAD NO ONE CALL US). HE SAYS AFTER THE SUS-HE DIDN'T BOTHER, AND LAST NIGHT WHEN THEY WENT BACK TO SUS EVERYTHING WAS FINE. HE WANTS TO DISCUSS THIS WILL SOMEONE. ((RADIOED TO DICK HINSON TO CALL PREACHER)).....TKS DONNA

RESOLUTION

CALLED PASTOR ERNEST AT 9:30AM 6-23-04,, TALKED TO SECT. AND WAS ADVISED TO CALL BACK LATER...DICK H. CALLED PASTOR ERNEST AT 1:30PM 6-24-04,, TOLD HIM THAT WE HAVE CHECKED EVERYTHING ON OUR SIDE & ALL WAS OK NO PROBLEMS,, VALVES ALL OPEN,, VALVE ON MAIN LOOKS AS IF SOMEONE HAS USED IT LATELY,,, WILL KEEP A CHECK ON THIS....DICK H.

ENTER SERVICE ORDER NUMBER OR <CR>.

SERVICE ORDER INQUIRY [REDACTED] - 5766 CHARLOTTE HWY STNK/ DOMNK/ DOM

## Notes

ORDER#	TYPE	DESCRIPTION	OPERATOR	ENTRY DT	ENTRY TM	DUE DATE	RES DATE
825755	21	HIGH/LOW CONSUMPTION	DONNA	06/21/04	09:10	06/21/04	06/24/04

## INSTRUCTIONS

ERNEST COGSDALE 803-831-7036 CALLED INDICATING YESTERDAY DURING MORNING SERVICE THEY LOST ALL WATER PRESSURE. (BUT HE HAD NO ONE CALL US). HE SAYS AFTER THE SUS-HE DIDN'T BOTHER, AND LAST NIGHT WHEN THEY WENT BACK TO SUS EVERYTHING WAS FINE. HE WANTS TO DISCUSS THIS WILL SOMEONE. ((RADIGED TO DICK HINSON TO CALL PREACHER)).....TKS DONNA

## RESOLUTION

CALLED PASTOR ERNEST AT 9:30AM 6-23-04,,, TALKED TO SECT. AND WAS ADVISED TO CALL BACK LATER...DICK H.  
 CALLED PASTOR ERNEST AT 1:30PM 6-24-04,,, TOLD HIM THAT WE HAVE CHECKED EVERYTHING ON OUR SIDE & ALL WAS OK NO PROBLEMS,,, VALUES ALL OPEN,,,  
 VALVE ON MAIN LOOKS AS IF SOMEONE HAS USED IT LATELY,,, WILL KEEP A CHECK ON THIS....DICK H.

ENTER SERVICE ORDER NUMBER OR <CR>.

(1) Service Notes

Notes

Page = 1

Date Notes

- (1) [REDACTED] BRUCE HAAS GAVE ME SUR TAP FEES OF 2000.00 FOR YORK CNTY  
(3) & 4900.00 FOR CUS...WE WILL NOT SIGN OFF OR START BILLING  
(5) SUR SUC UNTIL WE HAVE RECD EASEMENT DOCUMENT FROM LK WYLIE  
(7) CHRISTIAN ASSEMBLY...TAP FEES HAVE BEEN PROCESSED...MH  
(9) \*\* SFE = 7 FOR SEWER \*\*  
(11) 11/18/05 12:16 AM, CALLED BOB MERVIN AT 803-242-1671 RE MSG LFT ON  
(13) U/M AT 11:08 AM (I FORWARDED THE MSG TO MAC'S U/M)...I  
(15) EXPLND THAT MAC MITCHELL WOULD BE HANDLING THE TAPP FEE &  
(17) THAT I HAD FORWARDED THE U/M MSG TO MAC, GAVE HIS EXT\* TO  
(19) MR MERVIN...MH  
(21) 11/18/05 9:42 AM, STEVE W NXTLD ME, THIS CHURCH IS INSTALLING A  
(23) FORCE SUR MAIN...DO I KNOW ANYTHING...PER MAC, THEY HAVE  
(25) AN AGREEMENT & CONSTRUCTION CAN TAKE PLACE, HOWEVER, TAP  
(27) FEES HAVE TO BE PAID FOR SUR BEFORE THEY HOOK INTO OUR  
(29) SYSTEM....MH  
(31) 10/21/05 WATER ONLY ACCT, SUR CHARGES (46062) BILLED, CR FOR 72.37  
(33) POSTED 10/21/05, BAL OF 137.38 IS DUE & CORRECTED BILL  
(35) MAILED ON 10/21/05....MH

(1) Service Notes

Notes

Page = 1

Date Notes

- (1) 12:50P, JONATHAN WRIGHT CALLED RE MTR BOX, HE WILL MAIL IN  
(3) CK TO MY ATTN, HAS SCHEDULED FOR FLANAGAN'S TO INSTALL THE  
(5) IRRIG MTR BOX...TOLD HIM TO CALL ME AFTER THE METER BOX IS  
(7) INSTALLED & I WILL HAVE OPER INSTALL THE METER...MH  
(9) 08/31/04 JONATHAN WRIGHT CALLED RE IRRIG MTR LTR, SAID HE COULD NOT  
(11) FIND A PLUMBER WILLING TO INSTALL...I NEXTELLED DICK H &  
(13) DICK SAID HE WOULD CALL CUSTOMER, GAVE DICK PH# 803-831-  
(15) 5853 & MR WRIGHT'S NAME....MH  
(17) 08/25/04 REC'D LTR. OF CREDIT--ADJ. TO REMOVE DEPOSIT/ MW  
(19) 08/19/04 RE S/O 844765, I CALLED MR WRIGHT AT THE HOME PHONE (803-  
(21) 831-5853) AT 8 AM. I TOLD MR WRIGHT THAT THE OPERATOR DID  
(23) NOT SEE ANY INDICATION OF A LEAK AND THE METER READ IS IN  
(25) LINE, HOWEVER, HIS CONS FOR 08/02/04 - 08/16/04 WAS 11830  
(27) GALS. I ASKED IF HE HAD A SPRINKLER SYSTEM AND HE SAID YES  
(29) BUT THAT IT HAD BEEN OFF SINCE 08/03/04..I ADVISED HIM TO  
(31) HAVE THE LINES CHECKED & TOLD HIM I WOULD SEND HIM INFO ON  
(33) AN IRRIGATION METER, HE ASKED WHAT THE ADVANTAGE TO THIS WAS  
(35) & THEN REALIZED HE WOULD NOT BE PAYING FOR SEWER TREATMENT..

SERVICE ORDER INQUIRY [REDACTED] - 2678 LANDING POINTE DR / 55 R / 55

Notes  
ORDER# TYPE TYPE DESCRIPTION OPERATOR ENTRY DT ENTRY TH DUE DATE RES DATE  
-----  
844765 01 HIGH BILL DONNA 08/17/04 16:01 08/17/04 08/18/04  
INSTRUCTIONS  
PLS INVESTIGATE POSSIBLE LEAK. CUSTOMER JUST ABOUT CHOKED ON FIRST BILL  
PLS BESURE AND TAG THE DOOR WITH FINDINGS.

TKS DONNA

RESOLUTION  
PER DICK H ON 08/18/04, MTR RD - 96610 (IN LINE W/ 08/02/04 RD OF  
84780; CONS - 47270 GALS), MTR# 29072161. NO SIGN OF LEAK, OPER  
OBSERVED METER FOR 3 MINS & DID NOT SEE ANY MOVEMENT.  
\*\*DOES CUSTOMER HAVE SPRINKLER SYSTEM?? IRRIGATION METER LETTER &  
APPLICATION WAS MAILED TO MR WRIGHT ON 08/19/04.  
MH 08/20/04

ENTER SERVICE ORDER NUMBER OR <CR>.

**Night Hearing for Customers  
Oak Grove Elementary School  
May 2, 2005**

All Commissioners from PSC were present  
Dukes Scott, Director of ORS as well as 4 people from his staff, including Willie Morgan  
David Butler, Attorney for PSC  
Larry Boland, Sonja Johnson and another lady representing DHEC

**1. Ted Pitts, House of Representatives**

Appreciates the Commissioners coming to the meeting. He wants good quality of water / sewer service for his constituents as well as the cost being reasonable.

**2. Mike Watford**

Brighton Forest  
101 Mansfield Circle

In 1990, when he asked Ms Lewis what the white particles were in his water, she told him air. Ms Lewis said she was proud of the customer service and thought it was the best. He begged to differ. He said that Ms Lewis had committed perjury. We argued in the 1990's that it cost too much to provide flouride to the water. Now they have fluoride in the water from the City of West Columbia. He cannot get his payment to us on time. He is a state employee and only gets paid on the 1<sup>st</sup> and the 16<sup>th</sup> of each month. Other Utility Companies will work with him but CWS will not.

Snooty Customer Service Repr

He wants the PSC to justify CWS' rate of return.

Clyburn: What service do you have with CWS? Water and sewer. How long have you been a resident of CWS? 15 years. What is the quality of your water? Good. What about your sewer service? It's fine.

Final comment: CWS does not deserve a rate increase.

\*\*\*Account number is [REDACTED] His last call to the Office was on 3/3/05. He had lost his blue envelope and mailed his payment to the Office. He demanded that his payment be posted to his account with the post mark date on his envelope. I explained that all payments are keyed to the account on the day they are received. He said all other utility companies give customers credit for their payment based on the postmark on the envelopes. I advised that I would adjust the penalty this time. He has been offered an automatic bank draft form but refuses to complete one.

Quality Complaints: 8/13/92.. Air in water...Customer states water is white and has been for 2 days. As per Tony, well broke suction, set well on lag run. Tony called the customer and explained that chemicals were added to the water and why. Customer seems to understand.

5/25/94.. Misc account complaint.. Customer did not believe meter had been read properly. He also complained about water tasting bad. He said it had a nasty taste

to it. As per Tony, there were no leaks detected and he ran a meter test (100.2%) accurate.. Meter will not be changed out. Ph was 7.0, cl was 0.8 and phosp was 1.2 mgl on 5/26/94 and on 5/29/04 ph was 7.0, cl was 0.9 and phosp was 1.4 mgl.

\*\*\*\*He called May 3<sup>rd</sup> at 10:10 and wants me to pull his account to the side and not charge him penalties if he is late in paying the bill. I gave him the option of the ABD; he does not want this because he may not have the money in his account on the day the bank withdraws. He does not like the idea of mailing his payment to the Regional payment center in Charlotte. I told him he could mail the payment to us locally or he could drop his payment off at the office. He said other companies give him some leeway. I asked him how many days the other companies gave before his account was past due. He did not know. I told him that we are required by the PSC to give him 25 days to pay. He wants more time than this. I told him I could not single him out with additional time. I told him I would be glad to work with him if he had a problem paying on time

3. **Albert Orr**  
125 Pear Ct  
Bradford Estates

Why does the Company want an increase? He has not seen or heard the answer. A 42% increase is not justified.

He does not know where his sewage goes. It could go to a pond at the end of the street, then to a creek or somewhere.

He said he knew CWS asked for a certain amount of increase, probably high and then PSC would give a lower amount. CWS would still come out on top; they would be getting something. Why does the Commission work this way?

His water quality is good, however, he filters his water. He has good water pressure.

There are some days in the summer, not often, he smells sewer. He does not know where it might be coming from.

Clyburn: How long have you been a customer? 3 years.

Wright: Have you ever called the Company about the sewer odor? Never

\*\*\* His account number is [REDACTED] There are no quality service orders on this account. He has been a customer since 3/2/02.

4. **Bill Sulser**  
104 Red Maple

He is from West Virginia. He learned to read, write and do arithmetic. He does not understand how it cost Two million dollars to upgrade the system 4 years ago. Has the Company filed papers with the PSC?

Clyburn: How long have you been a customer? 5 years.

What is the Quality of water service? Good, but he does have a filter on his water.

What about your water pressure? Water pressure is good.

Final Comment: No increase is warranted.



\*\*\*His account number is [REDACTED] He has been a customer since 6/14/00. No quality service orders on the account

**5. Ray Phillips**  
115 Vale Drive  
Grayland Forest

He has been a resident for 31 years. For the last 3 years, he has been single. His wife passed away. He has not seen much difference in water / sewer bill in the last 3 years. It seems water and sewer is costing about the same as it did then. He pays between \$40.00 - \$45.00 per month.

It seems the bill is always the same.

He travels to Greenville to visit his Mother as well as to Seattle to visit son. Water bill never seems to come down during the months that he is gone.

His neighbor across the street is a single person and her bill is also too high.

He appreciates the Commission for coming out to hear what the customers have to say.

It seems like every couple of years CWS is requesting a rate increase. Why?

Mitchell: You have chlorine in your water? Yes. I don't like the taste or the smell of it so I filter my drinking water.

Wright: Can you supply us with copies of your water bills from several years ago in which there were 2 people and now since there is only 1? I will try.

Final comment: We replaced his water meter because his consumption had dropped not because there was something wrong with the meter.

\*\*\*His account number is [REDACTED] He has been a resident since 10/1/74. A service order dated 6/14/01 was created to check the meter because of low consumption of only 210 gallons. As per Tony, this is a very old meter and will be changed out.

No quality service orders on

**6. Peter Lundin**  
129 Loskin Lane  
Maple Grove (403)

He wants to better understand the cost structure for water. The cost is too high.

Water is a necessity of life. Why does it have to cost so much?

Has been a resident for 1 year.

Why are our costs so high?

He would like to have seen a presentation from the Company at the Customer meeting showing why they need an increase. The presentation should have shown what the money has been spent for in the past and what is needed now. There are many customers who work and they cannot attend the meeting at the PSC. It would be nice to have all the facts presented at the local night hearings.

He retired to the area but now regrets his actions because of the rates CWS charges. Our rates for water / sewer are too high.

Clyburn: Where did you live before? In Richland County. Who did you have water service with? The City of Columbia.

Final comment: Most people work and they cannot attend the meeting on May 4<sup>th</sup>.

\*\*\*His account number is [REDACTED] No quality service orders on the account

7. **Ray Price**

201 Cinnamon Lane  
Oakcrest (403)

CWS has extremely high water rates.

He has friends in other states and they do not have to pay such enormous water / sewer bills.

His water bill has not been below \$60.00. He admitted, he uses a lot of water.

He feels the company should be given a rate reduction.

Question: What is your water quality? Good. I also have a filter in my house. I do not like the taste or odor of Chlorine. I have no problems with my sewer service.

\*\*\*His account number is [REDACTED] He has been a customer since 8/25/98.

On 1/15/00 call was received of clogged sewer. Ralph responded to the call and found roots in the service line at the house. Ralph talked with customer and advised them they needed to call a plumber. Roto Rooter was able to clear the line to let some of the flow go by. Customer was advised that they needed to get the service line replaced.

On 11/9/99, call was received of clogged sewer. Customer had roots in the line and was advised to call a plumber.

8. **Juliana Ott**

1629 Jessamine Road  
Grayland Forest

Has been a resident for about 18-19 years.

She lives at the edge of Grayland Forest.

She is representing all the single ladies in the area. They are on a fixed income and now with another increase, it is seriously affecting the monthly budget.

She does not feel the Company should charge a flat rate for sewer service. She feels the sewer charge should be based on water consumption. She as well as the other single ladies does not use much water, however, they have to pay the same amount for sewer as a family of 4 or more.

Mitchell: What is your monthly bill? \$47 - \$53 per month for water and sewer. Most of my bill consists of \$28.86 (flat rate for sewer) and another flat rate for water.

\*\*\*Her account number is [REDACTED] She has been a customer since 9/2/86.

A service order dated 2/24/04 of clogged sewer. We responded and found no blockage at our clean out. The line was tved and found roots. MPC root sawed the

sewer main. The line was pressure washed and sewer debris was cleaned up on site.

**9. Joe Owens**

(Not a customer)

Lexington County Council Chairman

City Director for the City of West Columbia

Former Chairman for the Lexington County Commission

\$40.92 would be the highest sewer bill in the area.

City of Cayce / City of West Columbia, outside sewer rate is \$14.27/month. This was calculated based on the number of residents and their usage.

City of West Columbia / City of Cayce sends their sewage to Columbia who have a well maintained WWTP on the Congaree River. Their effluent into the river looks better than the sewage CWS dumps into the Saluda River. CWS only has a lagoon with a big paddle to stir us the sewage. He is fighting us dumping the sewage into the Saluda River.

He has not heard of any improvements we have done on our facilities.

He is really surprised of the low turn out tonight.

The City of West Columbia owns a water plant at Lake Murray as well as one on Sunset Blvd in West Columbia.

John Hoefer, Atty for CWS questioned him regarding his stance on Lexington County Commission and condemnation proceedings against CWS.

**10. Mike McCormick**

205 Thackery Lane

Woodcastle (422)

Has been a resident since 1980.

He remembers paying \$4.00/ month for water and sewer. Then it went to \$65.00 a month and now \$90.00.

There is no fire service in the subdivision.

In 1990, sewer line was plugged. CWS cleared the line. In 1997, same problem again but CWS refused to take responsibility for the problem. He had to get DHEC involved as well as an Attorney before we would do anything. There were roots in the tap. CWS told him he should have filed a claim when he had sewage backing up in house, he did not know that was an option. He did finally and CWS did give him some money.

\*\*\*His account number is [REDACTED] He has been a resident since 7/15/80.

A service order was created on 11/22/99.... Clogged sewer. As per Ralph, there was a blockage at the tap in the front yard. MPC pressure washed the tap and cleared the blockage. \*Customer is to call Sam Davis and talk with him.

A service order was created on 6/26/94 of high/low water pressure. As per Bob, the low water pressure was caused by break in our 6" water main in the Golden Pond S/D. This caused low water pressure to several subdivisions.

A service order was created on 3/4/92 of clogged sewer. As per Ralph, Operator on call, there was grease at the tap. P&S cleared the blockage.

**11. Joel Player**

1936 Leanna Dr

He is not an actual customer with CWS at this address. He does have other properties (00361.. near Calvin Court Apartments)

He wants to put in a new development. CWS will not talk with him about taps.

We have said no taps can be offered to him. He does not understand why.

Water bills are too high.

He is willing to put in his own water system. Our well is only 10' from this property line but we will not allow him to tie into our water system and get water from this well. We want him to do all the work by putting in a well for us to take over. He does not feel this is right. If he puts forth the money to drill a well to

serve his new development, then he will retain rights and ownership to the well.

Mitchell: When did you ask for taps? About 3 1/2 years ago. He has written letters to the Company but he cannot develop the land because we will not let him have taps. He said his new development is in a small town near Cayce (South Congaree).

Clyburn: You say you have no money, but I know differently.

**12. Dilly Perry**

114 Staford Ct

Brighton Forest (00369)

CWS did have wells in their subdivision. The wells are no longer in service. The Company is now buying water from the City of West Columbia. If the wells are no longer in service, why does the Company now need a rate increase?

Mitchell: Instructed Ms. Perry to address her question to Atty Hoefer after the meeting.

\*\*\*Her account number is [REDACTED] She has been a resident since 7/29/88. No quality service orders on the account.

**13. Mac Toole, House of Representatives**

He is speaking on behalf of all the people. He has seen the cost of living increase, however the cost of utilities has increased even greater. The people of this area cannot afford another increase of such from CWS. The people have to tend with increases in property taxes from Lexington County, higher gasoline cost, etc. They cannot afford to pay the increase requested by CW. I know the Commission will be fair with their final decision.

Adjourned:

**Rate Hearing for Carolina Water Service  
May 4, 2005**

Called to order by Commissioner R. Mitchell  
Reading of the Docket

Customers testifying:

**1. Ben Rawls**

President of the River Hills Community Association

He had a letter from Rep. Norman. Atty Hoefler objected to the letter and it was not read in Mr. Rawls' testimony.

The Mission Statement for the ORS.... They are to represent the public interests.

He has not seen anything about CWS performance.

He has not heard anything about DHEC ratings on CWS.

The water rates in River Hills are the highest in the State.

Mr. Hoefler stated that Mr. Rawl could give his opinion but not another person's opinion.

He does not have a competitive study of our rates.

He said he gets calls about the service we provide. \*Who calls him? How many calls does he get?...dl

The material supplied to the residents is unclear.

CWS is collecting tap fees. Where has the capital collected by CWS been used at River Hills? He said we had collected 2.3 million since the end of 2000.

He wants a rate decrease.

He has distribution and collection only by CWS. He has no sewer treatment from CWS. Treatment is by York County.

The quality of service is not what it should be.

\*\*\*Account number is [REDACTED] He called in a clogged sewer complaint in 11/01. Our mains were flowing free and clear, it was the customer's problem. The operator advised him of such.

**2. Russ Leinbach**

34 Timber Ridge Ir

has been a resident for 12 years

He moved here from Illinois. His water and sewer in Ill was extremely low. Every 3-4 months, he would get a post card from the Utility Company for him to read his meter. His bill was always under \$50.00.

There are 2 people in the household. They do not use the washing machine or the dishwasher. In April, his bill was \$87.00. His total W/S bill for 2004 was \$900.00, more than Duke Power.

Daughter lives in Ill. There are 4 people in household. They receive a quarterly bill of \$162.00, which equates to \$54.00 a month.

CWS is not even close to the US average

Average for York Cty is \$80.00 / year

His average consumption is 7500 gallons.

CWS does have serious problem and these are reflected in the W/S bills.

We need to get our act together and provide the service that is expected from us.

**\*\*His account # is [REDACTED] A service order dated 12/17/99. Wanted the meter raised. The operator took him a meter riser.**

**3.**

Nuon purchased the Company for \$400,000 million.

We are requesting to increase our revenue by 1.6 million dollars.

What project has CWS applied for? The expansion of lines is at the expense of the customer and then CWS takes over.

Meters are not read monthly. This is hearsay; he has no facts to back this up.

Cross connection testing, we should pay for them.

Ask the Commission to dig deep into our finances. We need to bring our bills to the average as in the US.

Deny the rate increase.

Hoefer: With reference to the \$80.75, what goes to CWS and what goes to York Cty. Customer did not know.

1992, the customers requested we connect to York Cty.

How many times has York Cty increased their rates? Customer said that Al Green testified to this question on 4/26/05.

**4.**

**Paul Hershey**

General Manager of River Hills Community Assoc.

There are 41 vacant lots in River Hills

There are 3 homes under construction.

Since the letter from the House of Repres could not be entered, he wanted to call the House and Senate. Mr. Hoefer said if someone comes in from the House or Senate, they will be recognized.

Regarding the Mission Statement from the ORS. He does not feel they are upholding this statement to all the people.

York County is looking at a new mandate to treat sewage.

The money collected in tap fees has not gone back into capitol improvements.

In 1992, was told to go to York County. We began bulk water in 1996.

Where did the water come from 4 years ago?

Cannot find a capitol improvement project list.

The total evaluation of CWS is not complete.

Look at total management audit.

He believes the Commission does not have enough data to make a judgement.

Rate of Return in River Hills is not valid.

CWS is only to maintain the infrastructure at River Hills and the residents have not seen any improvements or any upgrades to facilities.

Does not live in River Hills

1994 attempted to make the interconnection with York County but the residents rejected the plan. 1992 accepted but the contract was not signed.

1996, Commission approved the interconnection with York County.  
River Hills intervened and objected to the interconnection.  
1997, River Hill residents and Developers complained about the rates.  
There are 35 lift stations that must be maintained.  
They do not meet the standards of the State.

**5. Bruce Gislason**

3 Sandy Cove

Frustrated customer of CWS

He has not received papers from CWS or the Commission as he had requested.

**\*\*His account # is [REDACTED] No quality service orders on the account.**

**6. Don Long**

Hoefer objected to his testimony since he has testified at night hearing on April 26<sup>th</sup>.

Today testimony is to represent the business community. He is originally from New York.

He wants the company to sell out to another company.

He said Sewer is based on the number of gallons. (an incorrect statement)

He basically made the same remarks as he did at the night hearing.

He is the Vice-Chairman of the Board of Chambers Members, Lake Wylie

**\*\*His account # is [REDACTED] There are several lift station complaints on his account. Evidently a lift station is located at or near his property. He did have a sewer back up and submitted a claim to the office in November 1996. He was reimbursed \$387.37.**

**7. Anne Quattrone**

She is representing the 114 members of Lands End

She strongly requests the Commission to reject the increase.

The increase is without merit.

Do not grant the increase.

WWTP is located within the gated community. CWS has to gain access to their property through the gated community of Lands End.

1975.. CWS was sited by DHEC for violations.

WWTP is over capacity with poorly maintained equipment.

Dec 2003, why should company be rewarded with an increase?

H/O's of Lands End have contacted all agencies to no avail. There are many violations. The WWTP is 100 yards from homes. In July 2003, Bruce Haas signed the Discharge Monitoring Report stating that CWS failed to comply with the limits as set forth by DHEC.

September 30, 2004, unsatisfactory records / reports

Not consistent with NPDES permit. There has been lime and sludge on the ground. The operator did not know anything about the lime being put on the ground.

April 2004, sewer back up in house. Mr Hoefer objected because it was hearsay. She said she was on Board of Directors for Lands End. There was a back up in sewer and when they contacted our office, they were told that we no longer provide service to the line going to the house. \*\*If there is a problem with a backup, if the problem is in the service line from the sewer tap to the house, it is the responsibility of the customer and not the company. We come out free of charge and will check our sewer mains and manholes. If there is a problem with the sewer tap, we will clear it, but we will not maintain the customer's sewer service line...dl

She said we did not respond to the complaints.

April 26, 2005 .. Overflow into Lake Murray and street of Lands End.

Odor problems at the plant

Why does it take so long for a representative of the company to arrive on the scene?

4/2/05.. There was liquid pouring onto private property and into Lake Murray.

Odors are terrible; we have had to endure them for years.

They have complained to DHEC. For the past few weeks, CWS said they were eager to keep residents in the loop.

There are still odors in the air.

18-wheelers haul the stuff away

Hazardous spill

Do not grant an increase to this company

\*\*Her account number is [REDACTED] Quality service orders on the account. 2/96, plant overflowing and odor. As per the operator, there were no problems at the plant. The weather was warm and there was a sour/sweet odor in the air. She also called in a dirty water complaint in Nov 1994. We have since interconnected with Lexington County.

**8. Dwight Johnson**

He had plenty of documents that he wanted to present along with his testimony.

Mr. Hoefer objected because he was not told about them prior to this morning and he has not had the time to review them.

He also mentioned that he had a letter dated 2/21/05 to also present as evidence.

Hoefer objected based on the above.

9 Indian Creek

4 years

Lives about 200 – 300 yards from the sewer plant.

He has always been told to call the office and that the office will look into the problem.

DHEC told the residents that there was a big tear in the cover at the plant in Nov 2004. DHEC said they would make CWS put the plant back into compliance.

The company is not providing the sewer service. They will not cooperate with the customers.

Rate should be denied



He requested that Ms Quattone and his wife be on location when the next inspection is performed.

Brown glob on cars for at least a week.

Stuff spewing out of the plant.

Crystallized substance on cars daily, 6 months or more

Dec 2004, Dana Reeder was going to fix the plant by Feb 2005. His wife has talked with Dana Reeder for about 2 years and nothing has been done. \*Dana has not been an employee of the company for 2 years...dl

The plant is spewing stuff like crazy.

CWS made promises and they have not been kept. He does not believe anything CWS says. We are not fit to operate a WWTP. We should be forced to shut down or sell it for \$1.00 or give it to Lexington County Joint Water/Sewer Authority.

Odors are terrible

What are all the problems at the plant doing to the customer's health?

Taste of water is bad. Taste like 4-day-old kidney beans. We interconnected with Lexington County Joint W/S in April 1999. Mr. Hoefer asked him if he knew where his water came from? He did not. He was not aware that CWS did not provide the water, we purchase it from Lexington County.

Pump station went out, it cost CWS \$40,000 to repair. Not sure of the date

The plant was designed for 997 families. It now has over 3000 families on it. He mentioned 4-mile creek. \* He does not even know the name of the creek.. It should be 14 mile creek...dl

Plant should be brought into compliance. DHEC inspectors have told him the plant is not in compliance.

Rate increase should be denied

\*\*His account # is [REDACTED] Quality service orders as follows: February 2004, lawn repair. An area in his yard had sunk. We put down more dirt. In October 2003, lawn repairs from a sewer problem in Sept 2003. It was repaired. In September 2003, he called with clogged sewer. We had a contractor to pressure wash the line. September 2003 clogged sewer. Pressure washed the line and found roots in the line. We dug up line and repaired. August 2003, the office created a service order to get a read from the meter. It seems the customer had built a rock walkway over the meter.

**9. Dale Nielson**

Lands End for 25 years

He said every since CWS took over, service has gone down hill

We have put out vanilla and it only masked the sewer odor for awhile

For 2-3 months, bad sewer odors have been coming into all units.

Odors are bad all the time.

18-wheelers are pumping out the plant. It is probably overflowing. We have probably exceeded the DHEC limits.

There is fluid coming down the hill from the WWTP

Odor for the last couple of days

Do not grant them an increase.

**\*\*His account # is [REDACTED] He called the answering service with an odor complaint. The operator responded and could not find anything wrong at the plant. The operator said there was some odor but all equipment was working fine.**  
**\*\*\*This customer has been very rude almost every time he calls the office.**

**10. James R. Streeter**

**36 Indian Creek**

**Been a resident for 10 years**

**The name of the Lands End Condos should be changed to "Georgetown Water, Love Canal East, etc.**

**Stuff coming down the hill from the plant.**

**Get the problem fixed, then we will talk about an increase.**

**\*\*His account # is [REDACTED] No quality service orders on the account.**

# Customers at Night Hearing (November 29, 2005)

1. H. Russell 165 Silver Leak Silver Lakes  
~~no calls to the office~~
2. J. Knowlton 306 Brookside Foxwood  
~~no calls to the office~~
3. H. Fuson 2934 Balkan Olympic Acr  
~~no calls to the office~~
- H. Fuson 2946 Balkan Olympic Acr  
1. Replace meter curb/box Feb 2, 2004
4. K. Rogers 1006 Deertrack Barney Rhett  
1. High/ Lo Pressure Aug 18, 2005
5. T. Sims 106 Pinetree Foxwod  
1. Leak Mar 16, 2004  
2. Customer prob / water Jun 11, 2004
6. J. Sharpe 2812 Farmstead Carrowoods  
1. Leak Jun 9, 2005
7. J. Shugart 3056 Shandon Shandon  
1. Lawn repair (water) Sept 10, 2004  
2. Lawn repair (water) July 20, 2005
8. E. Fick 3006 Shandon Shandon  
1. Yard repair (sewer) July 28, 2005
9. P. Garris 3006 Shandon Shandon  
~~no calls to the office~~
10. M. Travers 1188 Birchwood Ridgewood  
~~no calls to the office~~
11. C. Anderson 3063 Shandon Shandon  
1. Clogged sewer Mar 15, 2004  
2. Locate lines Jan 3, 2005  
3. Clogged sewer Mar 15, 2005
12. M. Huss 2617 Farmstead Carrowoods  
1. Leak Jul 20, 2004
13. E. Auton 2950 Tipperary Shandon  
~~no calls to the office~~

## **Ridgewood Subdivision (01364)**

**2003**

**2004 2005**

### **Discolored Water:**

\*Old water system where the water mains must be flushed. After complaints of discolored water, system was flushed and water was OK.

### **Low Water Pressue:**

\*Due to mechanical problems at the wells such as reset the main breaker (September 2003) (December 2003) (March 2004) (April 2004) , replaced both pressure switches at the wells (June 2003), (April 2004)

# RESIDENTS OF RIDGEWOOD FARMS (01364)

ACCOUNT #	NAME	ADDRESS	COMMENTS
	M TRAVERS	1188 BIRCHWOOD	NO SERVICE ORDERS
	J EMELIANOF	1219 BIRCHWOOD	NO QUALITY COMPLAINTS
	B VANG	987 BIRCHWOOD	SEE SPREAD SHEET FOR COMPLAINT
	M PARRISH	1242 BIRCHWOOD	NO SERVICE ORDERS
	R CARPENTE	1272 BIRCHWOOD	NO QUALITY COMPLAINTS
	S HAWKINS	1284 BIRCHWOOD	NO SERVICE ORDERS
	M HARRIS	1298 BIRCHWOOD	NO QUALITY COMPLAINTS
	E MCDANAL	1293 BIRCHWOOD	NO QUALITY COMPLAINTS
	D WILDER	1277 BIRCHWOOD	NO SERVICE ORDERS
	E BREWER	1258 BIRCHWOOD	NO SERVICE ORDERS
	R OWENS	1394 LOBLOLLY	SEE SPREAD SHEET FOR COMPLAINT
	D JACOBS	1176 BIRCHWOOD	NO SERVICE ORDERS
	J BARRS	1168 BIRCHWOOD	SEE SPREAD SHEET FOR COMPLAINT
	D HOLT	1154 BIRCHWOOD	NO QUALITY COMPLAINTS
	J OCKER	1117 HIDDENBROO	SEE SPREAD SHEET FOR COMPLAINT
	M KENDRICK	1125 HIDDENBROO	SEE SPREAD SHEET FOR COMPLAINT
	D COPE	1141 HIDDENBROO	SEE SPREAD SHEET FOR COMPLAINT
	S HERNE	1153 HIDDENBOOK	SEE SPREAD SHEET FOR COMPLAINT
	J BELL	1156 HIDDENBROO	NO SERVICE ORDERS
	J SRYGLEY	1122 HIDDENBROO	NO QUALITY COMPLAINTS
	M JENNINGS	1100 BIRCHWOOD	NO SERVICE ORDERS
	R HERRON	1183 BIRCHWOOD	NO SERVICE ORDERS
	B DRUMMON	1300 LOBLOLLY	NO QUALITY COMPLAINTS
	T THORNBUR	1335 LOBLOLLY	NO QUALITY COMPLAINTS
	S MCELROY	1128 HIDDENBROO	SEE SPREAD SHEET FOR COMPLAINT
	J RANDOLPH	912 BIRCHWOOD	NO SERVICE ORDERS
	V COKER	1391 LOBLOLLY	NO QUALITY COMPLAINTS
1 name with no address			
10 accounts with no service orders on the computer			
9 accounts with no quality complaints (a billing type s/o)			
8 accounts listed on the spread sheet			
**27 addresses from the subdivison			

RIDGEWOOD COMPLAINTS  
2003, 2004 2005

DATE	NAME	STREET ADDRESS	COMPLAINT	DATE RESOLVED	RESOLUTION	S/O #	SIGNED PETITION
3/25/03	STEVE MCELROY	1128 HIDDENBROOK	DIRTY WATER	3/25/05	FLUSHED THE LINES	695406	YES
6/9/03	ROBERT OWENS	1394 LOBLOLLY	LOW WATER PRESSURE	6/11/03	REPLACED BOTH PRESSURE SWITCHES AT 2 WELLS	716520	YES
7/22/03	JERRY BARRS	1168 BIRCHWOOD	WATER SMELLS AND TASTE FUNNY	7/24/03	CHECKED AND FOUND NO PROBLEM	729886	YES
9/14/03	SUSAN SHADLEY	963 BIRCHWOOD	LOW WATER PRESSURE	9/14/03	RESET THE MAIN BREAKER	748553	
9/20/03	THOMAS BURNS	917 BIRCHWOOD	LOW WATER PRESSURE	9/20/03	BREAKER ON WELL 1 WAS TRIPPED, RESET	748572	
10/24/03	SAM LANE	1136 PINE KNOT	RED WATER	10/24/03	FLUSHED THE WATER MAINS CHECKED WATER AT HOUSE, NO PROBLEM FOUND, WATER IS CHLORINATED AND IS CLEAR WITH NO ODOR	757819	
11/4/03	MELANIE WILLIAMS	1023 BIRCHWOOD	MUSTY ODOR IN WATER	11/4/03		760985	
11/4/03	LARRY MISIUDA	1290 BIRCHWOOD	MUDDY WATER	11/4/03	FLUSHED THE WATER MAINS FOR 2 HOURS	761435	

RIDGEWOOD COMPLAINTS  
2003, 2004 2005

11/8/03	MELANIE KINDRICK	1125 HIDDENBROOK	SOME DISCOLORATION IN WATER AFTER WE FLUSHED THE LINES	11/8/03	FLUSHED THE LINES IN THE AREA	763387	YES	
12/4/03	RUBEN TREVINO	975 BIRCHWOOD	LOW WATER PRESSURE	12/4/03	WELL #2 HAD TRIPPED OUT CAUSING THE LOW WATER PRESSURE, EVERYTHING WAS RESET AND PRESSURE WAS RESTORED TO THE SYSTEM	769182		
1/4/04			WATER COMING UP NEAR ROAD	1/4/04	AQUA SERVICE REPAIRED THE LEAK	777346		
3/16/04	MELISSA JOHNSON	1378 LOBLOLLY	BLACKNESS IN WATER BUT CLEARED UP AFTER A FEW MIN OF FLUSHING	3/16/04	OPERATOR CALLED CUSTOMER & ADVISED THEM TO FLUSH THE LINES IF IT OCCURRED AGAIN	794431		
3/17/04	RIDGEWOOD S/D		AS PER OPERATOR, WATER SYSTEM TO BE DOWN BEGN 10:00	3/16/04	AQUA SERVICE REPAIRED THE LEAK ON THE WATER MAIN. PRESSURE RESTORED AT 10:18 AM	796483		
3/21/04	THOMAS BURNS	917 BIRCHWOOD	LOW WATER PRESSURE	3/21/04	RESET THE WELL AT THE BOTTOM OF THE HILL THAT HAD TRIPPED OUT	797654		
3/21/04	SUSAN SHADLEY	963 BIRCHWOOD	LOW WATER PRESSURE	3/21/04	RESET THE WELL AT THE BOTTOM OF THE HILL THAT HAD TRIPPED OUT	797654		
3/21/04	STEVE JOHNSON	1378 LOBLOLLY	LOW WATER PRESSURE	3/22/04	RESET THE WELL AT THE BOTTOM OF THE HILL THAT HAD TRIPPED OUT	797654		

RIDGEWOOD COMPLAINTS  
2003, 2004 2005

3/22/04	MYRA AILIFF	1077 BIRCHWOOD	LOW WATER PRESSURE	3/22/04	WELL PUMP WAS REPLACED AT WELL #1, TANK WAS OFF LINE FOR ABOUT 1 HOUR	797717	
4/18/04	ADALINE GARNER	920 BIRCHWOOD	LOW WATER PRESSURE	4/18/04	WELL HAD TRIPPED, RESET IT, ALSO ADJUSTED PRESSURE SWITCH AT WELL #2	805746	
4/17/04	THOMAS BURNS	917 BIRCHWOOD	LOW WATER PRESSURE	4/17/04	CUT BIG WELL ON FOR A HOUR, CHECKED SMALL WELL, IT WAS FINE. ONCE PRESSURE WAS NORMAL, CUT BIG WELL BACK OFF. TANK WAS DRAINED.	805746	
4/23/04	LARRY MISIUDA	1290 BIRCHWOOD	LOW WATER PRESSURE FOR LAST SEVERAL WEEKS	4/23/04	REED MULLIS REPAIRED WELL AND PRESSURE SWITCH	807464	
4/22/04	ROGER HELMS	970 BIRCHWOOD	LOW WATER PRESSURE	4/23/04	FOUND WELL #1 NOT RUNNING, CALLED REED MULLIS WHO REPAIRED THE PRESSURE SWITCH	807597	
4/23/04	RUBEN TREVINO	975 BIRCHWOOD	BLACK JUNK IN HER TOILETS	4/23/04	FLUSHED THE WATER MAINS	807465	
5/4/04	TOM SMITH	1153 HIDDENBROOK	CONCERNED ABOUT QUALITY OF WATER	5/5/04	TESTED WATER FOR CL2, IT WAS BELOW AVERAGE	810376	YES
5/4/04	RIDGEWOOD S/D		LOW WATER PRESSURE	5/4/04	HAD PROBLEM WITH CHEMICAL LINE, & HAD TO FLUSH THE WATER SYSTEM. REPAIRS COMPLETED BY 2:20 PM, PRESSURE WAS RESTORED TO NORMAL.	810689	



RIDGEWOOD COMPLAINTS  
2003, 2004 2005

8/3/04	RUBEN TREVINO	975 BIRCHWOOD	AIR IN THE LINES	8/3/04	CHECKED WELL & TANK, ALL OK. OPERATOR HAD FLUSHED LINES STIRRING UP AN AIR POCKET.	840777	
8/3/04	JAMES OCKER	1117 HIDDENBROOK	BROWN WATER	8/5/04	FLUSHED THE WATER LINES	840212	YES
8/20/04	JERRY BARRS	1168 BIRCHWOOD	WATER IS BLACK	8/20/04	NO ONE AT HOME, TESTED WATER AT HOSE BIB, NO PROBLEM FOUND	845669	YES
9/30/04	JERRY BARRS	1168 BIRCHWOOD	WATER IS BLACK	9/30/04	WATER WAS A LITTLE RED, FLUSHED ALL WATER MAINS	858076	YES
9/30/04	JERRY BARRS	1168 BIRCHWOOD	WATER IS BLACK	9/30/04	WATER WAS A LITTLE RED AT CUSTOMER'S HOUSE, FLUSHED ALL WATER MAINS	853076	YES
10/11/04	JAMES OCKER	1117 HIDDEN BROOK	BROWN WATER	10/11/04	FLUSHED WATER MAINS ON HIDDEN BROOK & RIDGEWOOD	867466	YES
11/28/04	SHANNON HEARNE	1153 HIDDEN BOOK	DISCOLORED WATER	11/28/04	TOLD CUSTOMER TO FLUSH HER LINES, OPERATOR HAD FLUSHED THE WATER MAINS EARLIER THAT DAY. WE COULD HAVE STIRRED UP SOME SEDIMENT IN THE LINES	877494	YES
11/28/04	JAMES OCKER	1117 HIDDEN BROOK	BROWN WATER	11/28/04	FLUSHED OFF THE LINE AND FLUSHED THE CUSTOMER SPIGOT UNTIL WATER WAS CLEAR	877498	YES
3/3/05	DARRIAN HAMILTON	1076 BIRCHWOOD	LOW WATER PRESSURE	3/3/05	CHECKED THE SYSTEM AND PRESSURE WAS FINE	903058	

RIDGEWOOD COMPLAINTS  
2003, 2004 2005

4/29/05	RIDGEWOOD S/D		WATER IS BLACK WITH RESIDUAL	4/29/05	FLUSHED THE WATER MAINS	921146		
5/4/05	DANA YOUNG	1081 BIRCHWOOD	DIRT & SOOT COMING THROUGH INTO HER WATER	5/5/05	FLUSHED THE WATER SYSTEM	922899		
5/7/05	ERIC COPE	1141 HIDDEN BROOK	DIRTY WATER	5/7/05	FLUSHED THE WATER MAIN ALONG HIDDEN BROOK	926285	YES	
5/7/05	SHANNON HEARNE	1153 HIDDEN BROOK	DIRTY WATER	5/7/05	FLUSHED THE WATER MAIN ALONG HIDDEN BROOK	926287	YES	
5/7/05	ERIC COPE	1141 HIDDEN BROOK	DIRTY WATER	5/7/05	FLUSHED THE WATER MAIN ALONG HIDDEN BROOK	926285	YES	
5/12/05	RUBEN TREVINO	975 BIRCHWOOD	PROBLEMS WITH WATER PRESSURE	5/16/05	CHECKED THE WATER PRESSURE AT THE HOUSE, COULD NOT FIND A PROBLEM	925125		
5/20/05	HARRY CLEMENT	1142 BIRCHWOOD	LOW WATER PRESSURE	5/20/05	CHECKED WATER PRESSURE AT SYSTEM AND AT HOUSE (40-60 PSI)	928296		
7/18/05	JERRY BARRS	1168 BIRCHWOOD	WATER HAS BLACK PARTICLES IN IT	7/18/05	BLACK WATER WAS CAUSED BY MAGANESE (MINERAL) IN THE WATER. SUPER CHLORINATED THE WELL, THEN FLUSHED THE WELL.		YES	
7/31/05	MARK KENDRICK	987 BIRCHWOOD	WATER BUBBLING BESIDE THE ROAD	7/31/05	BROKEN WATER LINE, AQUA SERVICE REPLACED 4' OF 3/4" PIPE AND CURB STOP	956551	YES	